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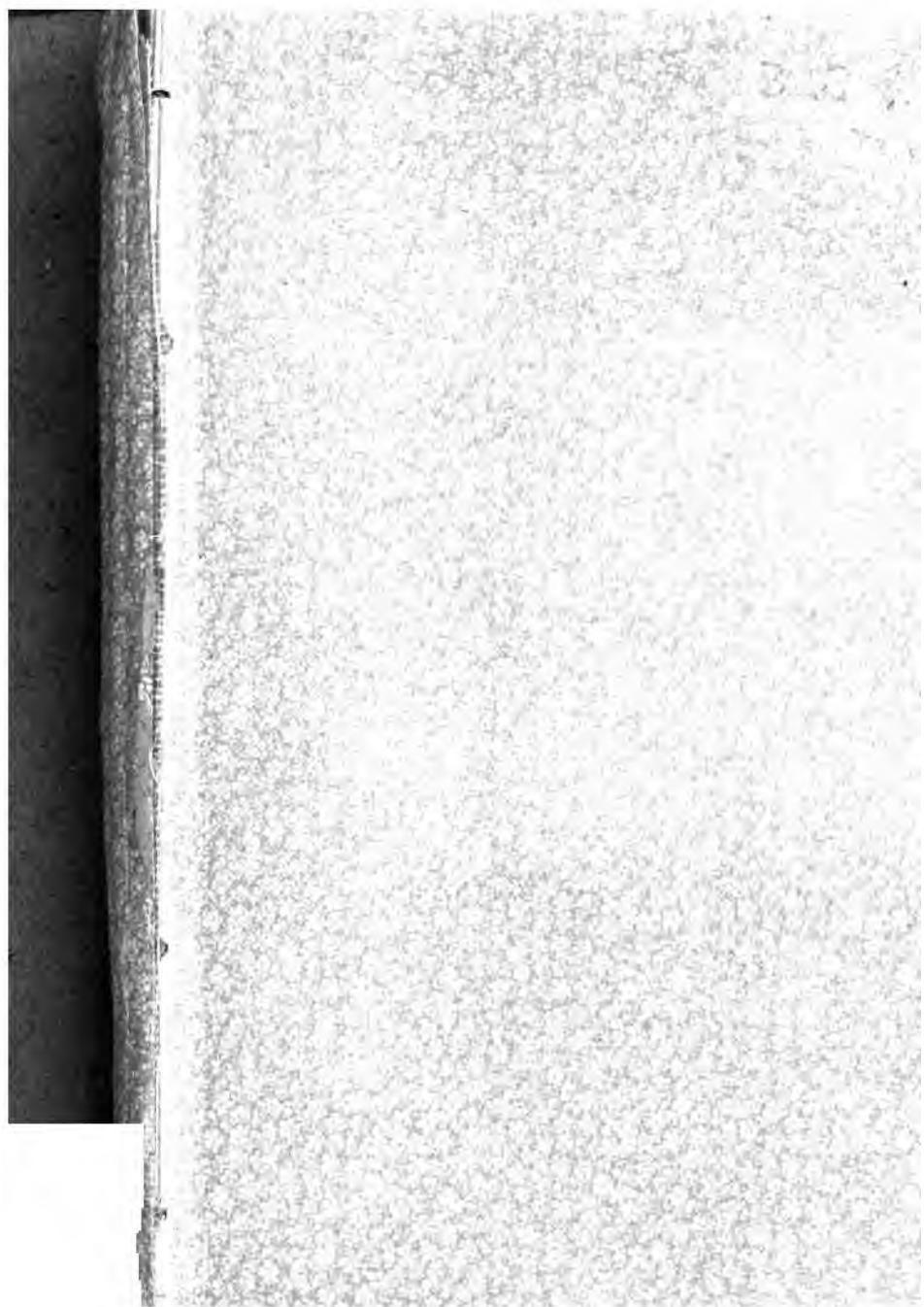
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DUELLING DAYS

IN THE

ARMY

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DUELING DAYS

IN

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THE ARMY.

BY

WILLIAM DOUGLAS,

(LATE 10TH ROYAL HUSSARS);

Author of "Historical Records of the Household Cavalry," "Historical Records of the 10th Royal Hussars," "Historical Records of H.M. 27th Foot," "Soldiering in Sunshine and Storm," "Horse-Shoeing as it is and as it shoul be," &c.

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PREFACE.

“DUELING,” said that clever, though rather eccentric philosophical writer, Mandeville, “is the tie of society, and although we are beholden to our frailties for the chief ingredient in it, there has been no virtue, at least” (he adds) “that I am acquainted with, which has proved half so instrumental to the civilizing of mankind; who, in great societies, would soon degenerate into cruel villains and treacherous slaves, were honour to be removed from among them.”

But what is honour? The other day a captain in the Russian army stole some seventy pounds from a lady’s bag, and when the money was found upon him he pulled out a revolver and shot himself, preferring death to the dishonour of being discovered to be a thief. The act did not

of itself, seemingly in his opinion, dishonour him, it was simply in being found out; and this, we almost fancy, must have been Mandeville's opinion of it. Had the Russian officer just referred to got clear away with his plunder, and any one afterwards accused him of the theft, he would have called his accuser out, and thus vindicated his own honour. He might certainly have shot his opponent, but would still have remained what he was, namely, an undiscovered thief.

Therefore, in whatever way we regard the subject, duelling at the best was but a relic of a barbarous age; and at the worst—well, we need not describe what that might be. That duelling should continue in the army, long after most stringent orders had been issued against it, is only what might reasonably be expected among men who had not only an inclination for fighting, but had the weapons, as a rule, ready to their hands.

In the following pages the events do not follow in chronological order, it being thought preferable and likely to be more interesting if affairs of

honour happening at wide intervals in the matter of dates were close together in print.

Duelling is virtually dead in England, and although Colonel Cash, of the American Army, fought and killed Colonel Shannon of the same service, a year or two ago, the practice may be said to be almost as defunct, even in the Southern States of America, as at home with ourselves ; and it may be fairly assumed that it is dying a slow but sure and perfectly natural death on the continent of Europe. In France duelling has already degenerated into a burlesque ; and its existence, when it comes to be laughed at, cannot be a lengthy one, and the sooner its end the better for France, we say.

That like all other abuses it will die hard, even in France, is just what may be expected ; though the recent fatal duel fought at Saigon has, in all probability, given the practice its death-blow even in the French service. It appears that two young lieutenants of Marines, MM. Aubertin and Audemard, quarrelled over some simple matter, and "went out," not with common duelling pis-

tols but with revolvers, three chambers of each weapon being loaded. The seconds, who to a great extent are answerable for the tragic ending, as they could have prevented the brutal style of conflict, placed the men in front of each other, with instructions to fire as they pleased. This, of course, meant at any distance, and therefore, when the first fire proved harmless, they got closer; when, in his second shot, M. Audemard's bullet passed through the body of his adversary, who died in a few hours in great agony. It is to be hoped that the sad result in this case will bring the conviction home to Frenchmen's minds that no affront, by words or gestures only, is a sufficient provocation for a man to endanger either his own life or that of another person.

The custom certainly took a long time to die out in the British service, though it was long before then ordered by the Articles of War that, "No officer shall presume to give or send a challenge to any other officer to fight a duel upon pain of being cashiered;" also that, "No officer shall use any reproachful or provoking speeches

or gestures to another, upon pain of being put in arrest and of asking pardon of the party offended, in the presence of his commanding officer."

Other orders referring to seconds, very strictly worded, were also published, but these regulations were rendered completely unavailing by long-established custom, and merely caused a mock kind of concealment, which, but for the dangers underlying it, would have been ludicrous. When, for instance, an officer was wounded in a duel, it was represented to the authorities,—although every man in the corps knew otherwise,—that he had sprained his ankle or broken his leg; and when one of the combatants fell, it was only put down to disease. At home, apoplexy; abroad, cholera or fever.

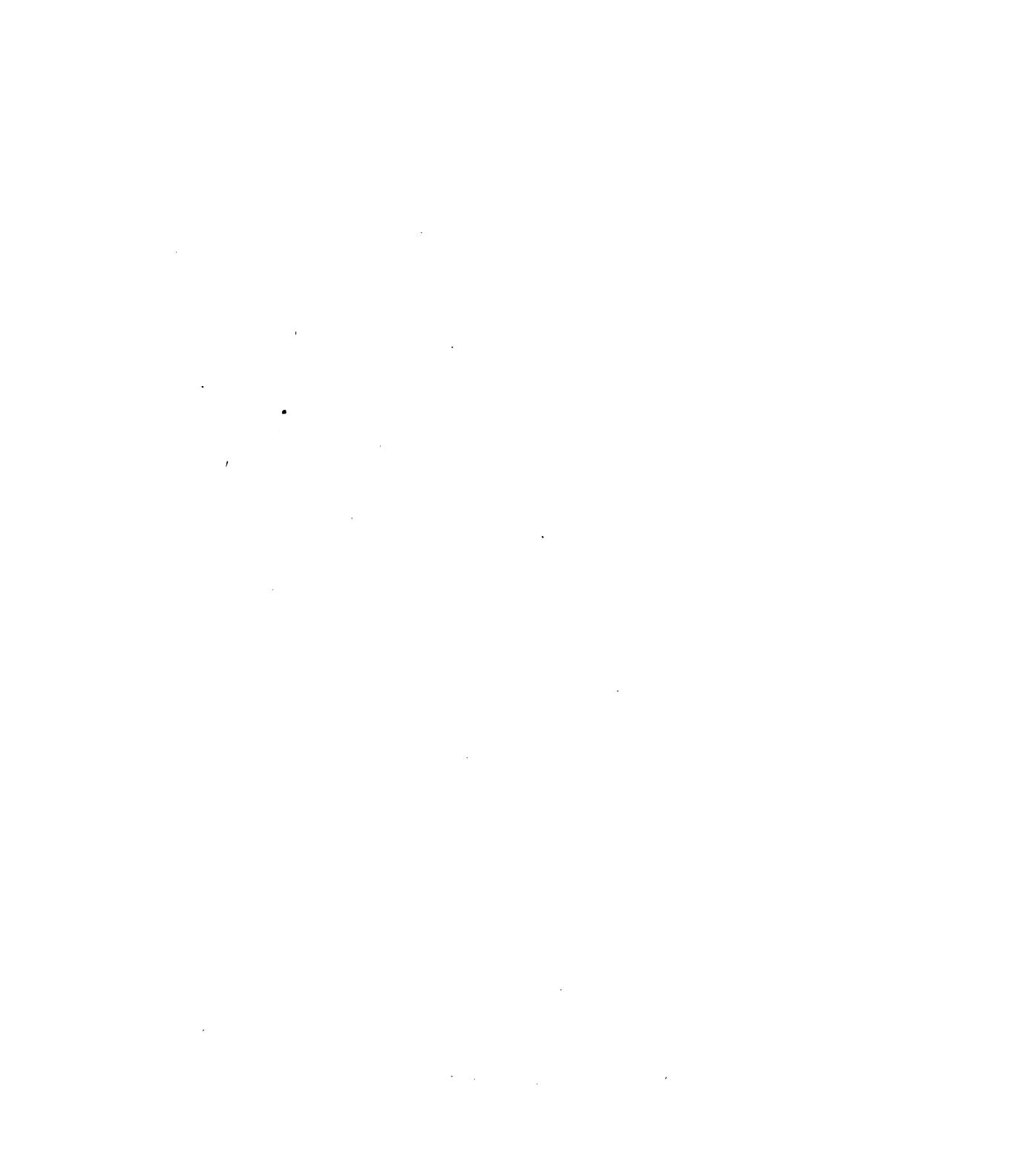
Doubtless many duels arose from the habit of sitting so long and drinking so much wine at dinner, which was liable to make men quarrelsome or at least self-opinionated; and probably it was with the view of correcting that failing, Addison wrote his well-known remarks on how

to avoid quarrels in society without loss of self-respect. These we may well quote, as they apply as much to the present as to the past. His words are :—

“ Avoid disputes as much as possible. In order to appear easy and well-bred in conversation, you may assure yourself that it requires more wit, as well as more good-humour, to improve, than to contradict, the notions of another. But if you are at any time obliged to enter on an argument, give your reasons with coolness and modesty, two things which scarce ever fail of making an impression on the hearers.

“ In order to keep that temper which is so difficult and yet so necessary to preserve, you may please to consider that nothing can be more unjust and ridiculous than to be angry with another because he is not of your opinion. The interests, education, and means by which men attain their knowledge are so very different, that it is impossible they should all think alike, and he has at least as much reason to be angry with you as you with him. But, if you contend for

the honour of victory, you may lay down this as an infallible maxim: that you cannot make a more false step, or give your antagonist greater advantage over you, than by falling into a passion."



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DUELING DAYS IN THE ARMY.

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Pugnacity in human nature—Different opinions as to whether men are by nature cowards or otherwise—Probabilities in favour of the latter supposition—Ordinances of Richard I. against abusive language between soldiers—Those of the Earl of Northumberland in the days of Charles I.—Penalties against duelling in the Army employed in Scotland during the same reign—Article of War referring to quarrels in James the Second's time—Commanding officers to use their influence—Intervention of George III. between Lieut.-General Murray and Sir William Draper, in consequence of the evidence given by the latter against the former at a court-martial—The action of the Courts—Similar action taken by the court-martial that tried Major Browne—Functions of the old Court of Chivalry—Duke of Wellington's remarks—Courts-martial acting judicially in quarrels—Quarrelsome officers punished—Officers tried for being too forbearing—The darker side of duelling—Prevalence of duelling in India, years after it ceased in England—Cases.

“MAN,” says Mandeville, in one of his essays, “is civilized by nothing so irresistibly as by fear,” and according to Lord Rochester’s oracular sentiment, “If not all, at least most men would be

cowards if they durst," an opinion, by the way, that the Duke of Wellington, once in the House of Lords, corroborated in nearly similar words. We find, therefore, according to the high authorities named, that by nature man is a non-fighting animal, and that if he only dared, he would pass along life's highway neither lifting his hand against any one or having any one's raised against him. Unfortunately for such a theory, this in-born quakerism of our nature does not exist among savage tribes, who are presumably the beings which may be said to occupy the cradle of humanity. They are not only crafty and cruel, but bold and bloodthirsty; risking their own lives fearlessly, and often with but the smallest chance of success. We therefore feel compelled to come to the conclusion, that men fight with men because they are pugnacious in the first place, and careless of the value of their own lives to an almost incredible extent, in the second place. Were it otherwise, men would not be found volunteering for forlorn hopes, or to fill up death vacancies in regiments decimated by disease or by battle. Man, we therefore fancy, is a fighting animal, naturally brave though often cruel and bloodthirsty.

No better proof of this could possibly be given

than the military orders and regulations which have from the earliest times been in existence against duelling, or as it is termed “quarrels and sending challenges.” Certainly strife and quarrels must be more common at all times among men, who from the constant habit of using arms, and from the proximity of weapons existing in a military community are as it were prepared for brawls, than among civilians, therefore it is not surprising to find in early times specific rules laid down in order to prevent any breaches of the peace occurring in camp or quarters. Thus we discover in the Charter of Richard the First published in his voyage to the Holy Land, the following ordinance that “any one who shall reproach, abuse or curse his companion, shall for *every time* he is convicted thereof, give him *so many* ounces of silver;” and by the statutes of Henry the Eighth the penalty is increased to imprisonment to any one who shall throw out even a *national*¹ reflection against his comrade. By the same statutes it is also enjoined “that no man debate, strive, or contend for arms, prisoners, lodgings (then the common subjects of strife) or for any *other* cause, malice, or quarrel, or other thing, whereby any

¹ The Normans and Saxons were evidently from this not on the best of terms.

riot, contention, or debate, may grow in the host, upon pain of imprisonment, and *further punition*, at the king's pleasure." When we come to the ordinances of the Earl of Northumberland in the days of Charles the First, we are informed "that what officer soever shall come drunk to his guard, or shall *quarrel* in the *quarters*, or *commit* any *disorder*, shall be *casseered* *without* *mercy*;" and to give a zest in the prosecution of the offender, it was further laid down in the same Article, "that the next officer *under* him, shall have his *place*, which he may *pretend to* (or *claim*) as his *right*, and it shall *not* be refused to him."² But the penalties did not stop at "casseering," for further on we find it enacted "that no man shall draw any sword in a *private* *quarrel*, within the camp, upon pain of death," and the same ordinance sets forth, "that no corporal or other officer, commanding the watch, shall wittingly suffer a soldier to go forth to a duel, or *private* *fight*, upon pain, also of death."

But even a more carefully worded Article of War was, in the same reign, afterwards drawn up against duelling. This occurred at the time the army was employed in Scotland, and was worded

² Article 5, entitled "Commanders must see God duly served."

in the following emphatic terms, “ All must show their valour *against the enemy*, and not by revenging private injuries ; which upon complaints to their superior officers, shall be repaired to the full. And if any man presume to take his own satisfaction, or challenge another to combat, he shall be imprisoned, and have his punishment decerned by the martial court ; ”³ and the 6th Article enjoins in equally explicit language, “ that all officers shall be careful by all means, to part quarrellings amongst soldiers, although they be of other regiments or companies, and shall have power to command them to prison ; which, if the soldier shall disobey, or resist, by *using any weapon*, *they shall die for it.* ”

When we come down to James the Second’s time we find the Rules and Articles of War drawn up with still greater precision and skill, and these may with truth be termed the substratum of our present Mutiny Acts, while the Articles which refer to quarrels, appear to us to be very happily worded. This Article the 7th simply enjoins “ that no officer, non-commissioned officer, or soldier, shall use any *reproachful* or *provoking speeches or gestures* to another, upon pain, if an officer, of being put in arrest ; or if a non-com-

³ By Article 7.

missioned officer or soldier, of being imprisoned, and of asking pardon of the party offended, in the presence of his commanding officer."

We here find the commanding officer fenced in the almost enviable position of healer of heart-burnings and animosities, that exist between officers or men under him, and this is a power which has been exercised several times by the Sovereign. We will refer to two of these cases, which, though no great distance of time apart, were brought to an amicable settlement instead of a duel, by the intervention of George the Third, who had however in one case to command the parties to bring their differences to an immediate and amicable settlement.

The first instance was that of Lieutenant-General Murray, who was brought to a court-martial at the instance of Sir William Draper, and charged with not having conducted the defence of Fort St. Philip, in the island of Minorca, properly. When the Court was investigating this matter two letters formed part of the evidence. In the first, from Sir William Draper to General Murray, the following passage occurred:—"Your insinuation that I am attempting to take the command from you is *false* and *infamous*." To this General Murray re-

turned an answer in writing which, among other things, contained a threat, the sentence being, “As to personal abuse, I shall do myself justice, you may be assured, when the proper time arrives.” Having thus proof of existing ill-will between the two officers, the Court, although acquitting General Murray of the charges preferred against him, did not think fit to separate without first making known to his Majesty the disposition of the two parties towards each other. The result of this was, that his Majesty ordered the Court to reassemble, which it did on the 30th of January, 1783, at the Horse Guards, when its instructions were to bring about a good feeling between the two officers referred to. The president and members of the Court then, after mature deliberation, drew up an acknowledgment and apology to be made by Sir W. Draper to Lieutenant-General Murray, as well as a friendly reply from the latter to the former, which might be mutually given and accepted without reflecting on the honour of either.

The two officers were then called into court, when the president, General Sir G. Howard, having first explained the course which he and the members considered right to pursue, addressed the two officers to the following effect:—

“ I am desired by the court to acquaint you Sir W. Draper that they do not think those very offensive words ‘false and infamous,’ used by you to Lieutenant-General Murray, your commander-in-chief, and in time of actual service, can be justified by any circumstance which previously happened, and therefore they think it incumbent upon them to declare their opinion, that you ought to make a satisfactory acknowledgment to Lieutenant-General Murray for the same in the following words :—

“ This court-martial having, upon mature consideration, expressed their opinion that Lieutenant-General Murray’s letter to me of the 16th January, 1782, which drew from me the intemperate words, ‘*your insinuations that I am attempting to take the command from you is false and infamous*’ did not import the charge of any actual attempt to take the command from him, which hurt, as I then felt myself to be, I had conceived. I do not hesitate to acknowledge that those words were very improper and unjustifiable, and I declare my concern for having used them, and I do, in deference to the sense of the court-martial, desire that Lieutenant-General Murray will accept the declaration as an apology for the same.

“ And the court are of opinion that you, Lieutenant-General Murray, ought to be completely satisfied with the said declaration, and express that satisfaction in the following words :—

“ I do accept this acknowledgment as a sufficient and full apology for the words used by Sir W. Draper in his letter to me, and I do, on my part, express my concern that I should have made use of any words which could have so much hurt the feelings of Sir W. Draper.”

“ And the court expects to receive from both parties the most solemn assurances that the affair shall have no further consequences.”

With these conditions Sir William Draper at once expressed his willingness to comply, but General Murray declined to do so, and it was not until his Majesty had ordered the latter into close arrest that he partially accepted the conditions forced upon him. We use the term “ partially ” because, through General Murray refusing to sign the apology first drawn up by the court, another less repugnant to his feelings was substituted, and the matter there ended.

The second case arose out of the proceedings of a court-martial previously held upon Major John Browne, of the 67th Regiment, and concerning which the president (General Lord

Frederick Cavendish) and members, in their finding, stated :—“ That from several circumstances that occurred in the course of the trial of Major Browne, and from others which appear in the minutes of a court-martial held at Antigua, it is evident that much heat and animosity subsists between the parties, and that without some timely interposition, consequences may be expected subversive of military order and discipline, and in direct violation of the Articles of War.”

His Majesty having had his attention called to these remarks, desired Lord Frederick Cavendish and the members of the court-martial, to call before them such officers as they suspected to bear an ill-feeling towards one another, and to prescribe fitting terms of apology, acknowledgement, or concession, between the parties concerned, and for more effectually effecting these purposes, “ the court-martial have his Majesty’s permission to make use of his royal name, authority, and injunction, and if they shall see occasion, to impose a strict arrest upon any of the parties, until a report shall be made to his Majesty.”

The ill-feelings referred to had been noticed as existing between Major Browne and Major Sladden ; between Major Browne and Captain

Hedges, and also between Major Browne and Lieutenant Urquhart, of the 30th Regiment, and consequently these four officers were called upon in Lord Cavendish's presence to each and "severally pledge his honour that no adverse circumstances should ensue in respect of the subject-matter of the late trial of Major Browne, or of Captain Hedges' trial in Antigua, and that all differences arising out of the same, or in any-wise connected therewith, should now terminate and be at peace." This being done at once, the court-martial was declared to be dissolved, and Major Browne was released from his arrest.

Many other instances of this plenary interposition of the Crown might with ease be enumerated, if it were necessary to show the extent of the prerogative of the sovereign to interpose in such matters and to dictate satisfactory terms of adjustment; but we think the instances cited will be deemed sufficient for the purpose intended. It will, however, have been noticed that the court-martial was not called upon to act in either case as a judicial body, for there was nothing before it on which it could judicially proceed, but simply as a special court of officers appointed for a particular purpose, and under a particular power. The whole proceeding was extra-judicial, growing

out of an emergency, but nevertheless requiring prompt and decisive action.

It was one of the functions of the old Court of Chivalry to settle matters of difference between officers, and it is to be regretted to some extent that courts-martial should not be endowed with similar powers, to be brought into play when necessary, without having first to obtain a warrant from the sovereign to investigate the various allegations, and to advise the parties complaining or complained against what their duties should be. The old Court of Chivalry as shown by writers on the law of England, and as described by Blackstone, was empowered to act as a "*court of honour* to give satisfaction to all such as are aggrieved in *that* point, a point of a nature so nice and delicate that its wrongs and injuries escape the notice of the common law, and yet are fit to be redressed somewhere. Such, for instance, as calling a man a *coward*, or giving him the *lie*; for which, as they were productive of no immediate danger to his person or property, no action will lie in the courts at Westminster; and yet they are such injuries as will prompt every man of spirit to demand some honourable amends, which, by the *ancient* law of the land, was appointed to be given in the Court of Chivalry.

But modern revolutions have determined that how much soever such a jurisdiction may be expedient, yet no action for words will lie therein."

When the commanding officer of a corps is a man of exceptional ability, tact, and temper, a Court of Chivalry would never be required, but such men are not commonly to be found in the command of corps. The Duke of Wellington, however, recognized this power in a commanding officer, and in a manner that to a considerable extent sustains the doctrines we have advanced. The Duke, when confirming the sentence of a general court-martial, held at St. Thomas, in the month of September, 1810, on a captain of the 3rd battalion of the Royals, who had been tried and convicted of using disrespectful language to his commanding officer, and for after refusing to withdraw them on the condition of being liberated from arrest, the Duke thus expressed himself:— “The Commander-in-Chief laments that Captain W—— should have thought proper to defer, till he was brought to trial, to explain the disrespectful expressions which he made use of to his commanding officer, notwithstanding the repeated offers made to him by his commanding officer to receive such explanation.

“ The officers of the army should recollect that it is not only no degradation, but that it is meritorious in one of them who is in the wrong to acknowledge and atone for his error, and that the momentary humiliation which a man may feel upon making such an acknowledgment, is more than atoned for by the subsequent satisfaction which it affords him, and by avoiding a trial and conviction of conduct unbecoming an officer.

“ The Commander-in-Chief requests that Major-General Leith will have the order read to Captain W—— in front of the Royals, paraded for that purpose, as the *reprimand* for his conduct.”

Court-martials have often been called upon judicially to decide quarrels between officers, but this has invariably been when one of the disputants had used language so unbecoming that it came under the designation of “ disgraceful conduct,” and therefore was a breach of the Articles of War referring to such cases. For instance, in July, 1813, Ensign T. R. Delannoy, of the Royal Perthshire Militia, was brought to a general court-martial, and dismissed “ for highly disgraceful conduct, unbecoming the character of an officer and a gentleman, in wantonly insulting and using most unwarrantable language to Captain Macduff, of the Royal Perthshire Militia, on the

evening of the 11th July, 1813, more particularly in calling him a *coward*, such conduct being highly prejudicial to military discipline, and in breach of the Articles of War."

Another instance may be quoted, that of Lieutenant Dominick French, of the 82nd Foot, who was tried by court-martial "For unofficerlike and ungentlemanly conduct in using abusive and provoking language to Assistant-Surgeon Scott, tending to incite him to fight a duel, and for giving him the *lie*, on or about the 2nd of April, 1811," and of this charge the accused was found guilty and cashiered. Again, in the case of Lieutenant C. Wight, of the 4th West Indian Regiment, who was brought to trial on the charge of "scandalous and infamous conduct, unbecoming the character of an officer and a gentleman, in going into Ensign Garratt's room, and there using most opprobrious language, upbraiding him with being a coward, &c., &c.," and the charge being proven the offender was cashiered.

Nor are cases wanting of another description ; of individuals being brought to trial for having displayed too much meekness or forbearance when they had been accused of *cowardice*, or of being *liars* by a brother officer. In November, 1809, Captain W. Griffin, of the 14th Foot, was

brought to a court-martial on the charge of “scandalous and infamous behaviour, such as is unbecoming the character of an officer, in having on or about the 27th October, 1809, suffered the most gross, abusive, and opprobrious language to be applied to him by Lieutenant Dove, of his Majesty’s 14th Regiment of Foot, viz., ‘poltroon and scoundrel’ (words subsequently avowed by that officer), without taking such measures as would have been appropriate to the vindication of his, Captain Griffin’s, insulted honour and character, and in flagrant breach of the rules of subordination and military discipline prescribed by the Articles of War.” There was another charge, too, of a similar effect, of the whole of which, however, Captain Griffin was acquitted. This should have necessitated the trial and conviction of Lieutenant Dove, but we have been unable to find any trace of such a court-martial. From what information there is to be derived of these transactions at the early portion of this and the close of last century, it certainly appears that, inciting another to fight a duel, or putting up with insulting language from a brother officer, was much more severely dealt with than at a later date. For example, at a European general court-martial assembled at Poona, on 31st October, 1843,

and of which Lieut.-Colonel S. B. Boileau, of her Majesty's 22nd Regiment, was President, Ensign Frederick Dacre, 1st Bombay European Regiment, was tried on the following charges, viz.:—"For conduct unbecoming the character of an officer and a gentleman, in having on or about the 28th April, 1843, when in his quarters at Poona, suffered himself to be struck by Ensign R. Maclaine, of her Majesty's 78th Highlanders, without having sought that immediate and legitimate redress which so gross an insult required." For not seeking "that immediate and legitimate redress" Ensign Dacre was "adjudged to be suspended from the rank and pay of an ensign for six months." Four days afterwards Ensign R. Maclaine was tried by the same court-martial for "disgraceful conduct," in having assaulted and repeatedly struck Ensign Dacre, and being found guilty, was adjudged "to be put down five steps in his regiment," a sentence quite as light as the man assaulted and repeatedly struck had received, because he had not sought that immediate and legitimate redress (did they mean pistols and coffee for two?) which so grave an insult required. A few months before this (June 26, 1843) a court-martial assembled at

Cawnpore, when Lieutenant Charles Abney Mouat was arraigned on the following charges :—

1st. “ For conduct unbecoming of an officer and a gentleman, on the 11th of May, 1843, in having at the billiard-room of the regiment, and in 'the presence of several officers of his own and of another corps, made use of highly provoking language to Assistant-Surgeon Joseph Burke, of the same regiment, whom he grossly insulted by an unwarrantable imputation of cowardice.

2nd. “ In having, on the same night, sent a hostile message to the said Assistant-Surgeon Burke, challenging him to fight a duel.

3rd. “ For highly unbecoming conduct on the morning of May 12, 1843, in having entered into a personal altercation with, and used insulting expressions towards the said Assistant-Surgeon Burke on the ground where they met to fight a duel.”

Lieutenant Mouat was only found guilty of a portion of the first charge, although it seems to us difficult to understand how they could acquit him of the second charge, seeing that he did challenge Dr. Burke, and they met the following morning, but from some cause which does not transpire, did not exchange shots. Lieutenant Mouat was sentenced to be publicly and severely

reprimanded, which considering all things was not a very severe decree, more especially when it is likewise taken into consideration that the same court-martial sentenced Assistant-Surgeon Burke for his share in the disturbance, "to be dismissed her Majesty's service."⁴ This sentence was not carried out.

Still in the same year we find another officer brought to court-martial for misconduct similar to that we have already given instances of, the proceedings of which were as follows:—

"At an Europeangeneral court-martial assembled at Poona on Tuesday May 2, 1843, and of which Colonel J. Townsend, of her Majesty's 14th Light Infantry, was President; Ensign E. Dansey, 1st Bombay European Regiment, was tried on the following charge, viz.:—

"For conduct unbecoming the character of an officer and a gentleman, in having about the hour of ten o'clock on the night of the 7th instant, when at the mess-table of the Bombay European regiment, struck Ensign Herne of the same corps." Being found guilty, Ensign Dansey was sentenced "to be suspended from rank and pay for two months, and to be severely reprimanded," not a

⁴ This sentence was remitted by the Commander-in-Chief in India.

very heavy punishment either. Of course in such instances as we have cited it is impossible to arrive at any correct judgment as to whether a sentence was a light or a heavy one, because the particulars of each case as given in evidence are not before us. We must therefore presume that in the cases referred to were certain extenuating circumstances, which, in the opinion of the court, had justified the accused in taking the law into his own hands; but it would be an intolerable state of things if an unprovoked assault by one officer upon another was only punished by suspension from rank and pay for two months. Far better would it be to introduce duelling into the British service as it exists in most other European armies.

Duelling at the same time has never had our sympathies. In the superstitious ages of the world, when men absurdly believed that Providence always interposed in favour of the party injured, the decision of a dispute by personal combat was apparently a very equitable arrangement. But in more enlightened times, when the sun of science had dispelled those clouds of ignorance, any continuation of so gothic a custom would say little for our intelligence or humanity. Duelling, we must allow, had certain merits of its

own as well as abuses. Its chief advantage was that it caused an amount of courtesy to be shown towards the failings or foibles of others, which in non-duelling days has to a certain extent disappeared. On the other hand, in some men it developed into bullying, if they had been fortunate enough to hit their opponents and to escape injury themselves. Not that their language was usually of a hectoring kind, they only would not bear contradiction, causing it to be generally known that a doubt cast upon any assertion made by them would be regarded as a personal insult, one for which satisfaction would be demanded.

There can be little question at the same time that at the period (1843) we have referred to, duelling was very prevalent in India. Nothing, in fact, was more common then, and for years afterwards, than to see a man in the evening full of health and vigour, and to hear the following morning that he had died of sunstroke, or brain-fever, and the officer of a corps who had not taken part, either as a principal or a second, in an affair of honour was the exception that went to prove the rule, while any one strong-minded or conscientious enough to refuse a challenge, would by his brother officers be sent to Coventry,⁵ a punishment much

⁵ In 1848, a cornet in a cavalry corps, while on leave to

more severe in India than it was or ever could be in England. In order to illustrate our meaning, we will here relate a story which we did not mean to introduce at present, but as it occurred about the time we have been speaking of, it will probably be more interesting now than further on. We have altered names, dates, and places, but the tale is a true one, though the chief actors in the drama have, like the victim, all "gone over to the majority."

In the year 1842 her Majesty's 173rd Regiment of Foot lay at Poonah, then as now one of the best stations in the Bombay Presidency, either as regards health, pleasure, or good society. Of course it suffered, like other stations, from the amount of cliqueism which then prevailed. The Queen's officers looked down upon their brethren holding commissions in the East India Company's European regiments, and both esteemed themselves greatly superior to the officers of Native Infantry corps. Classification was not at the same time

Mahawlashwar from Kirkee, had some words at a ball, with a gentleman belonging to the Civil Service. The civilian challenged the soldier, who, thinking to avoid fighting, left the hill-station and joined his regiment, where, however, the story had preceded him. As no one would associate with him, he was obliged to send in his papers, and having sold out, returned home.

confined to stations, but extended to the internal economy of regiments, some being influenced by nationalities, and others by religion, as for example, the 78th, who were quartered in the Ghorpurrie Lines, Poonah, of which Scotchmen formed the majority, Englishmen and Irishmen were at a discount, while in the 173rd, which was chiefly composed of Orangemen, Catholics as a rule “had a bad time” of it.

In most respects, however, Poonah differed little from other stations then, the daily life at any of these being dull in the best, and almost unbearable in the worst, cantonments. Excitement of any kind was consequently hailed with much rapture by both *bebes* and *sahibs*, so much so in fact that even the ordinary half-yearly inspection by the general commanding the division was looked forward to with a pleasure unknown at home stations, while bachelors’ balls, cricket matches, races, and regimental sports, were in their recurrence enjoyed with positive delight. During the interim, that is the dull times, a great amount of hard-drinking prevailed at all the mess-rooms, and although duelling in the British army had by the 102nd Article of War been made a crime, *that*, apparently, was only in force at home.

At the time we speak of, there joined the 173rd

from the dépôt at home an ensign named Sarsfield, a scion of a noble Irish family, and a Catholic. A slight girlish-looking lad, he was ill-fitted to mix among the rougher North of Ireland men, of whom the regiment was chiefly composed, and who were not inclined to bestow either favour or affection to any one professing the same faith as he followed. So he soon found he was a stranger, not only in a strange land, but among a class of fellow-country-men, who evidently had no great desire to become more intimate with him. Probably, had he been a "Turk, Jew, or Atheist," as years before was written on the gates of "Bandon," he would have passed muster all right; but being a Papist, that completely altered the state of matters; in fact, his joining the 173rd was looked upon as a piece of impertinence on his part, if not an insult to the officers already in the corps.

All this, Time, the great regenerator, would have altered, had young Sarsfield been either a cricketer, a crack shot, an athlete, or even able to sing a good comic song. But none of these things could he do, and being a timid, bashful boy to boot, his finding himself among companions whose tastes and fancies differed as much from his own as theirs varied from the Hindus, did not help to increase his confidence or make him more anxious

to resemble his comrades, so the breach between him and them did not diminish as time passed on. Indeed, it became a half-understood matter among his brother officers that he was to be *made* to exchange into some other corps.

The march of events, however, sped too rapidly for this to take place, had he even understood what was expected from him. The crack shot, and, to a certain extent, the bully of the corps, then was the paymaster, next to whom came the captain of Sarsfield's company, while the doctor was considered number three, so far as practical experience in affairs of honour went. Each of these gentlemen had been "*out*" half a dozen times in as many years, with results in their favour in proportion to the classification we have placed them in. Sarsfield, like most bashful people when under the influence of a glass or two of wine extra, found his tongue, and from having too little to say, would be liable on such occasions to talk too much. It happened, when at mess one night after a cricket match, at which the regimental eleven had been beaten, that he overstepped the bounds of prudence. The fact is, that finding himself in a manner isolated from his fellows, he had lately taken to drink a good deal more than was good for him when by himself in

his bungalow. Much of the talk at table on this occasion naturally referred to the game which that day had been played, and Sarsfield, joining in the conversation, so far forgot himself as to doubt an assertion made by one of the players of merely the same rank as himself. "Do you mean to say I am a liar?" shouted Lieutenant Craigsfoot, and without any idea of the consequences, Sarsfield answered in the affirmative, on which an ominous silence fell on those present. Craigsfoot at this rose majestically, and bowing to Sarsfield, left the mess along with the paymaster, the others, one after another, following, until Sarsfield was left to himself. Curiously enough, this did not appear to Sarsfield much out of the common. He knew he had behaved rudely, but for that he would apologize; and after having some more brandy-pawnee, he also got up and went home to bed.

It was then about 11 p.m., and from a sound sleep he was awoke at four o'clock the next morning by the paymaster, who came with a message from Lieutenant Craigsfoot, demanding satisfaction for the insult he had received the previous night, or an apology. Sarsfield, now heartily sorry for his conduct, at once expressed his readiness to apologize, and scarcely looking at

the paper, signed the document the paymaster had hurriedly drawn up. Remember he was but a boy of eighteen, who at the dépôt had been made to understand that duelling was not allowed in the British army, and that any one taking part in a duel would be brought to a court-martial. What was, perhaps, worst of all was, that he had no friend to advise him what to do, consequently we need not be surprised he signed an abject apology and went to sleep again.

There was a general court-martial parade at six o'clock that morning, when, without the slightest idea of having disgraced himself, he walked down to where his company was being paraded by the sergeants, and joined the group of his brother officers standing near. To his astonishment, his "good morning" was met by a cold stare from each, and then, all turning their backs upon him they walked away. This treatment fell upon him like a blow, although it did not occur to him at first that it was all owing to his having made an apology instead of fighting.

Cut dead by every one, and without a friend to advise him, the life the poor fellow led for the three following months was a most miserable one. He had to appear on all parades, attend the orderly-room when necessary, and perform the

usual regimental duties as it came to his turn to do so, during which period none of his brother officers spoke to him unless upon a point of duty. He must have been a good fellow at bottom, otherwise the men would not have been on his side. They were entirely with him, while his batman would have died for his sake. His opponents alleged that at this period he made companions of private soldiers ; in fact, was in the habit of having them up to his bungalow, and drinking with them there. This may be quite true, but when we come to consider how he was treated by older men, for simply having acted to the best of his judgment, we cannot help coming to the conclusion that he was more sinned against than sinning. Had he been riper in years or older in wickedness, he would doubtless have exchanged into another corps ; but being the shy, simple boy he was, he, though his heart was breaking, allowed himself to drift down the stream of misery, into whose waters men who should have been friends and not enemies had thrust him.

The end at last came. With so sensitive a nature as Sarsfield's was, it seemed only a question of time whether he would commit suicide or shoot one of his oppressors. Strange to say, he allowed himself to be shot, and how this happened

is very easily told. For a long time he had not gone to mess, having his food sent to his own bungalow; but one night, to the surprise of his servant, he intimated his intention of attending. As the man was putting the things ready he expressed a hope that matters would soon be all right again.

“Yes,” was Sarsfield’s reply; “everything will be right by to-morrow at this time,” a reply his servant subsequently often recalled.

When he entered the mess-room, and as it was thought afterwards, purposely a few minutes late, conversation ceased, and a meaning glance passed round the table. There was a vacant seat immediately opposite the paymaster, and that Sarsfield took possession of. By this time the conversation his entrance had interrupted was resumed, not the slightest notice, however, being taken of him, either by word or look. He was waited upon by the servants the same as the others, and it was just as the table had been cleared for the second course, that all present were startled by hearing Sarsfield in a clear and decided tone of voice, invite the paymaster to take wine with him.

“I do not take wine with a coward,” was the ungracious retort.

“*But you will take this,*” was Sarsfield’s rejoinder, as he dashed the wine-glass and its contents in the paymaster’s face.

In a moment every one present was on his feet, and amid a roar of voices, the paymaster’s tongue being heard high above all others, Sarsfield found himself pulled outside of the mess-room into the anteroom by some one whom he then discovered to be the doctor.

“You will have to fight now, my boy,” the doctor said in a tone far more sorrowful than could have been expected.

“I know that, in fact I came for the purpose.”

By this time several others had come in, all of whom now spoke to the poor lad in the kindest manner. They knew, doubtless, that his hours, nay, his very minutes, were numbered, for the meeting had already been arranged to take place at once, and to this Sarsfield made no objection.

It was one of those beautiful moonlight nights which are only to be met with in the tropics, and half an hour’s walk brought the principals, doctor, and seconds, to the Parsee’s garden, where Poonah affairs of honour were settled. All the preliminaries were quickly arranged, and with the utmost fairness and impartiality, the captain of his company acting as Sarsfield’s second, but

the result could never for a moment be doubted. Sarsfield fell dead, shot through the heart, his own pistol not having been fired, but whether this was an accident or by design will never be known.

The corpse was placed in a palanquin and taken hurriedly to the dead boy's bungalow, while his servant was called out of bed to wash and lay out his dead master's body, at the sight of which the poor fellow nearly broke down with grief. He, however, performed the last sad office to one who had always been a good friend to him, and having promised secrecy, was sent back to his barrack-room. The next issue of the *Poonah Gazette* contained the following announcement:— “Suddenly of cholera, in the officers' lines of her Majesty's 173rd Light Infantry, Ensign J. S. Sarsfield.” Some account of the matter must have reached Sarsfield's friends at home, as within six months of his death a brother arrived at Poonah, and tried to ascertain all the facts, but he could gain no intelligence beyond what the doctor's certificate stated, namely, death from cholera, and he returned about as wise as he came.

CHAPTER II.

“ He now said. ‘ Gentlemen, I will detain you no longer, for I desire not to protract my life,’ saluted them with an air of cheerfulness, which drew tears from every eye but his own, and hastened to the scaffold.”—*Death of Lord Balmerino.*

Jeffrey Hudson’s (the dwarf) duel with Mr. Crofts—How it arose—Hudson’s history—His appointment to the command of a troop of horse—The duel—Superior officers not allowed to strike or insult a subordinate—Court-martial on Lieutenant-Colonel Walcot, and sentence upon him for striking a subaltern—Reluctance of juries to convict for murder when the duel has been conducted fairly—Major Campbell’s hard case—His execution—His honourable conduct when under sentence of death, in refusing to escape for fear it would get his jailer into trouble—General Sir Eyre Coote’s conduct when challenged—Approval of the Duke of York—Circular to be read to every regiment in the British Army, expressing the Commander-in-Chief’s satisfaction—General Oglethorpe’s tact when insulted—Sir Jonah Barrington’s pistol days—Duel between Captain Roland Smith and Mr. Standish O’Grady—Trial of Captain Smith and of his second, Captain Markham, for manslaughter, and sentence.

ONE of the most celebrated duels on record was that fought between Jeffrey Hudson, King

Charles I.'s dwarf, and a Mr. Crofts. It will be remembered that Hudson had in the first place been in the service of the Duke of Buckingham, and one day when the King and Queen were being entertained by the Duke, a very large pie was placed on the table, which on being opened was seen to contain Jeffrey Hudson clad in complete armour, with his sword and his vizor down. The Queen was so much taken up with the dwarf that she begged him from Buckingham, who, only too pleased to oblige her Majesty, at once transferred Hudson to the royal service. From that time there was scarcely an entertainment took place at court but Jeffrey appeared thereat, in one character or another. For instance at a masquerade, as we are informed by Pennant, Jeffrey was pulled out of the porter's—a very tall man—pocket, but this of course was done with the full consent of the dwarf, who was very irritable naturally, and stood upon his dignity. Some one about this time wrote in verse a description of a fight between Jeffrey and a turkey-cock, in which it was stated that the little man only saved himself by flight. However, when the Civil War broke out, Jeffrey was appointed to the command of a troop of horse in the Royal Army, and performed good service when he was so employed. Subsequently,

he accompanied Queen Henrietta to France, and it was while there that he fought the duel we are about to describe.

• Mr. Crofts, a young officer attached to the Queen's suite, to which also belonged of course Captain Hudson, ventured to chaff the little hero about the combat he had had with the turkey-cock, which leading to high words, Crofts was challenged by Hudson, and a meeting arranged for the following morning. On reaching the ground, Crofts was found to have brought a squirt for his weapon, and this so enraged the dwarf that he would not be appeased, but insisted on fighting Crofts a duel on horseback at once with pistols. This was agreed to, as it was thought unfair to put so little a man to fire at so big a one from the ground. It was, however, all in Hudson's favour, as Crofts must have had more difficulty to hit a mite like Jeffrey, than the other would have to hit him. The result was that Hudson killed Crofts the first fire, his bullet having passed through his opponent's heart. It is told of Henry (afterwards Lord) Erskine, who was a very little man, that he once challenged a tall and stout officer to fight him with pistols, which the officer declined, on the very good excuse that such a duel would not be a fair one, insomuch that Erskine would be a very

small mark for him to aim at, while his own body would be a very easy target for Erskine to lodge a bullet into. When Erskine was told this, he at once proposed that the size of his body should be chalked out on that of his opponent's, and that all shots outside of that mark *should not count*. The officer, however, being unable to look at the matter from the same point of view, the duel did not come off, and it was a pity for Mr. Crofts that he did not object to fight Hudson on a similar plea. In fighting a duel one man was not supposed to have any advantage over the other, and where much disparity in size exists between the challenger and the challenged, and when this advantage is on the side of the former the duel, we should think, would not, under these circumstances, have been allowed to take place.

It has always been a portion of the unwritten law of the army, as regards quarrels and challenges, that opprobrious and taunting words are not even permissible for a superior to use to an inferior, far less that any one of a higher rank should strike or offer to strike an officer of a lower grade than himself. It is very rarely any such instances have occurred in the British Army, but when they have, the powers of a court-martial have been found practically quite fit to deal with them. For

example when Lieutenant-Colonel Walcot of the 5th Regiment of Foot, during the American War, while encamped near Boston, was so unfortunate, in a hasty and intemperate moment, to strike a subaltern (Ensign Patrick) under his command, and notwithstanding the latter had challenged him, the Lieutenant-Colonel was brought to a court-martial, of which Brigadier-General Pigot was president, for the offence ; when the court, after due consideration, suspended him from pay and allowances for six months, and was further pleased to order that Ensign Patrick *should draw his hand across the face of the Lieutenant-Colonel before the whole garrison, in return for the insult he had received.*

Commanding officers have so much power in their hands that any neglect or misuse of it justly brings upon them the severest punishment or censure, as in the instance we have just cited.

McArthur, in his work upon Military Law, when referring to Duelling in the Army says, "It is believed that there is no instance of an actual execution in Great Britain or Ireland in consequence of one party killing another in a duel fought fairly, and on equal terms ; and where friends, or in other words, seconds, were called in

to bear testimony to the equality and fairness of the combat."

Of the many melancholy results that duelling led up to, none has ever been more sad in its consequences than the one we are about to relate. Major Alexander Campbell, of the 21st Fusiliers, had seen service in several parts of the globe, having entered the army at an early age, and particularly distinguished himself in Egypt, under Sir Ralph Abercrombie. Originally in the 42nd Highlanders he was transferred to the 21st, where his promotion to a brevet-majority gave great offence to the senior captain of the regiment. We may explain for the benefit of our non-military readers that although brevet-rank does not interfere with regimental rank, the moment the corps mixes with others, the holder of the army rank asserts himself and takes command over his presumably regimental superior. Perhaps our meaning will appear clearer if we give a case in point. When two squadrons of the 19th Hussars were detached for the protection of Captain Boycott, in Ireland, one of these was commanded by Captain and Brevet-Lieutenant-Colonel Twentyman, who would on a brigade or garrison parade take command of the regiment, although one of its junior captains, he being a long way senior

in the army to the Lieutenant-Colonel now commanding the 19th; when of course he took the command.

It will easily enough be understood, therefore, that Captain Boyd was not pleased at a stranger, as it were, being placed over him, although it was no fault of the new-comer's, and Campbell being a hot-tempered man, naturally enough resented the undisguised hostility of his regimental senior, but junior in the army. Little pains, therefore, seem to have been taken to conceal this mutual dislike, and frequent and angry altercations took place between the cool and contradictory Boyd and the inflammable, unargumentative Campbell, in which the latter, as might be expected, came off but second best.

In this lamentable affair it is only right to say that, according to all evidence, Major Campbell was not rightly convicted. There was a strong feeling against the man in the regiment, for no particular fault of his own, but because he had been brought in from another regiment over the heads of captains then serving in the 21st Regiment of Foot, and as he was likewise a relation of Lord Breadalbane's, not an over-popular nobleman at the time, that might have been against him as well.

From what we can gather, the 21st (Scots Fusiliers) had been inspected on the 23rd of June, 1807, at Newry, by General Ker, then in command of the Athlone district, who when on parade corrected Major Campbell, by saying he had not given a right word of command. The general dined that evening at the mess of the 21st, when as was customary in those times a good deal of wine was partaken by those assembled. Of course while the general was present, no notice was taken of the remark he made respecting the wrong word of command Major Campbell had given; but when he had left that officer referred to it, observing that the general had corrected him erroneously, mentioning how he had given the word, and where the inspecting officer was wrong.

When he said this, Captain Boyd, Lieutenant Hall, and the Assistant-Surgeon of the regiment were present; upon which Boyd said, that according to Dundas neither he (Major Campbell), nor the general was correct.

Campbell answered, it might not be according to the King's regulations, but it was right for all that. Boyd still insisted it was wrong, and the controversy continuing, Boyd said he knew it *better than any man*. Campbell then rejoined, "he

doubted that," when Boyd replied, "he knew it *better than him*, and he might take that as he liked."

Campbell then got up and inquired, "Captain Boyd, do you say I am wrong?" when the other answered,—

"I do. I know I am right according to the King's order."

Major Campbell then quitted the mess-room, leaving Adams and Hall together.

On the trial it appeared that Campbell and Boyd met shortly afterwards upon the stairs, and went together into the mess-waiter's room, where they remained about ten minutes, and then again separated. About twenty minutes later, Major Campbell told the mess-waiter to find Captain Boyd, and to tell him a gentleman wanted to speak with him. This message the man delivered to Captain Boyd in the barrack-yard, and he returned with him, going into a small room off the mess-room where Major Campbell was waiting. The mess-waiter then went into the kitchen, and some minutes afterwards heard two shots fired. Hurrying in, he found two other officers there, and Captain Boyd wounded in the stomach, having evidently exchanged shots in the little room, which at its widest part was only about seven paces across.

Now, it must not be forgotten, that Campbell had come from another corps, and been placed over Captain Boyd, an old officer, who naturally felt aggrieved at being as it were superseded, for at the time Campbell was gazetted he was the senior captain of the 21st. It would therefore also be quite natural he should rejoice at General Ker's fault-finding, and that Major Campbell should notice all this in the next in command.

We have here, therefore, all the parts necessary to compose a duel. An ill-feeling did exist, the general found fault, and the opportunity was not missed to send the barbed arrow further home.

It should likewise be remembered, that both officers were at the time excited with wine. It was in the hard-drinking days the quarrel occurred, when no officer was supposed to be fit to command a company that was not able to consume three bottles of port or more during dinner and the time they sat afterwards. However, in this case, no mischief was expected, but as subsequently appeared, the words had rankled in their two breasts, until nothing but blood would obliterate them.

After the fatal event, Major Campbell showed the places where they stood to fire, to the other officers assembled, and asked Boyd in their presence,—

“On the word of a dying man, was not everything fair?”

To this Boyd replied, “Campbell, you hurried me; you are a bad man.”

Campbell then said, “Good heavens! will you not mention before these gentlemen, was not everything fair? Did you not say you were ready?”

Boyd said, “Yes,” and was then helped into the mess-room, Major Campbell following in great agitation, and asking if he forgave him?

Boyd then, stretching out his hand, said, “Yes, I feel for you, and I am sure you do for me.”

Campbell, after Boyd’s death, escaped, and lived for some months at Chelsea, under a false name. Knowing, however, his innocence, to a certain extent, of Boyd’s death, he resolved to surrender himself for trial, was taken back to Ireland, found guilty, and condemned to death. The verdict of the jury was, however, tempered by mercy, as they recommended he should be forgiven; but this recommendation, strange to say, was not acted upon.

The evidence that hung Major Campbell was the mess-waiter’s, who possibly owed his commanding officer a grudge; and it appears to have been a pity that the question of his good feeling

or otherwise towards Major Campbell should not have been raised at the trial.

From the moment the unfortunate duellist entered the prison-gates, his mild and gentlemanly demeanour won the hearts of all within. The governor, confident of the honour of his prisoner, subjected him to no restraint; he occupied the apartments of the keeper, went over the building as he pleased, received his friends, held unrestricted communication with all that sought him, and was only a captive in name. He had given his word of honour not to attempt to escape, and it is told how on one occasion, when his wife visited him, on her leaving him he found his custodian asleep in an easy-chair, he took the keys of the outer door out of the man's pocket to let her out, and although she urged him, with all her strength, to take this opportunity of saving his life, he answered,—

“No! would it ever do for a Campbell to betray the trust another man had placed in him?”

His poor wife spared neither money nor trouble to get a pardon for her husband; but although she herself petitioned George III. in person, he would not grant it. Whether this was owing to the narrow escape the Duke of York had from Colonel Lennox's pistol, simply because he would

not interfere with a judge and jury's decision, we cannot say. Mrs. Campbell threw herself on her knees at the feet of the Queen and Princesses, who we understand took much interest in her sorrow, but the King refused to interfere. We may only add that the devoted wife, when hurrying from Glasgow to Port Patrick, to be with her husband in his last moments, met his corpse on its way to be interred in the family vault at Ayr.

McArthur tries to account for this judicial murder by saying "that the whole verdict hinged upon the fact that Major Campbell had time to cool after the altercation had taken place, inasmuch as it was proved he went home and drank tea with his family; and that there were no seconds to witness the fairness of the combat."

General Sir Eyre Coote, of whose personal bravery there could be little doubt, once not only refused to fight a duel but instituted proceedings against the challenger in the law courts of the country. This affair thus occurred: General Coote, who commanded the expedition to Ostend, was examined, after his return to England, as a witness before a general court-martial held upon Major Armstrong of the 11th Regiment of Foot, for alleged misconduct on that expedition. The court having found that officer guilty, sentenced

him to be dismissed from his Majesty's service, and Major Armstrong, thinking the finding of the Court was chiefly owing to the evidence General Coote had given before it, and being free himself now from military jurisdiction, sent the general a challenge. General Coote immediately applied to the Court of King's Bench; instituted proceedings against Major Armstrong, reporting at the same time the matter to the Commander-in-Chief.

As it would be hardly practicable to give a more brief and satisfactory account of this transaction, or of the grounds out of which it originated than is afforded in the public letters, which were commanded by his Majesty to be addressed to Major-General Coote in particular, and to the army in general on this occasion, it being directed that the latter communication should be entered in the regimental orders, and read at the head of every regiment in the service —we give these in their entirety.

“Horse Guards, June 25, 1800.

“Sir,—I have received his Royal Highness the Commander-in-Chief's directions, to signify to you his Majesty's most gracious approbation of you conduct, in respect to *Mr. Armstrong*, late Major in the 11th Regiment of Foot.

“ His Majesty considers the conduct of *Mr. Armstrong* in having endeavoured to ground a personal quarrel on the evidence which you gave in conformity to your duty on your oath before a general court-martial, as militating not less against the principles of public justice, than against the discipline of the army, and his Majesty has been pleased to direct, that it should be signified to you in the strongest terms, that by having had recourse to the laws of the country on this occasion, you have displayed a spirit truly commendable as a soldier, and peculiarly becoming the station you hold in his Majesty’s service, to which you have rendered a material benefit by furnishing an example, which his Majesty has ordered to be pointed out as worthy the imitation of every officer under similar circumstances.

“ In order that his Majesty’s sentiments on this head may be generally known; I have received his Royal Highness’s command to transmit a copy of this letter circular to commanding officers, with directions to cause it to be inserted in the books of orders of their respective regiments.

“ I have, &c.,

“ (Signed) H. CALVERT, Adjutant-General.

“ To Major-General Coote.”

The other circular, no less pointed in its remarks, we give likewise.

“ Horse Guards, June 28, 1800.

“ Sir,—I have the honour herewith to transmit you a copy of a letter addressed, in pursuance of his Majesty’s commands to Major-General Coote; and at the same time to signify to you, that it is his Royal Highness’s the Commander-in-Chief’s pleasure that you cause the same to be read, the first opportunity, at the head of the regiment under your command, and afterwards to be inserted in your regimental orderly-book, to the end that every officer may be fully apprised of his Majesty’s sentiments upon the subject to which the letter alludes, and particularly that officers, who are entrusted with commands, may be made sensible, that it is incumbent on them on no account to permit any misunderstanding which originates in point of duty, to become a matter of dispute.

“ The Commander-in-Chief is persuaded that the royal approbation, which has been so fully expressed to Major-General Coote, will ensure the same line of conduct under similar circumstances from every officer who entertains a just sense of the duty he owes to himself and to society, and is actuated by an earnest zeal for

the good of his Majesty's service, which is best exemplified by a strict observation of discipline, and a due submission on every occasion, to the laws and government of his country.

"I am, &c.,

"(Signed) H. CALVERT, Adjutant-General.
"To the officer commanding the Regiment of —."

The manner in which an insult is taken often not only prevents any quarrel resulting, but puts the injured person in a higher position morally than he had held before. There is a story related of General Oglethorpe, who distinguished himself afterwards so highly in the war with the Spaniards in America in 1741, which well illustrates what we state. Oglethorpe was at the time we refer to, a very young officer, in fact only a boy of fifteen, when one day in a military company at table he happened to sit opposite the Prince of Wurtemberg, the prince taking up a glass of wine in his left hand, managed by a fillip with the middle finger of his right hand to make some of it fly in Oglethorpe's face. Here was an awkward dilemma for the boy. To have challenged his insulter, might have fixed upon him the undeserved character of a brawler, and to have taken no notice of it, might on the other hand have been considered cowardly on his part.

Oglethorpe, therefore, keeping his eye upon the prince, and smiling all the time, as if he took in jest what his Highness had done, said, "Prince, that's not a bad joke, but we play it much better in England ;" throwing at the same time a whole glass of wine in the prince's face. An old general who sat by said, "He is in the right, my prince, you began it !" The prince at once saw his error, as well as the justice of this reproof of the old officer, and shaking hands with young Oglethorpe, what might have ended in a tragedy, all passed off as a comedy.

The readers of "Charles O'Malley," and other novels of Charles Lever, will remember how easily duels appear to have been arranged in Ireland in the early days of the present, and at the close of the last century ; and descriptions of the duelling days at the time we speak of were, we may add, really drawn from life. Sir Jonah Barrington places it upon record that duelling in his time was not only legalized by custom, but was generally performed in the presence of crowds, and he actually gives a list of these meetings, being really an epitome from the accounts of 227 official and remarkable duels that had taken place in his own time. Sir Jonah further states that the education of young gentlemen was not considered

complete unless they had “been out,” as it was termed—as well as that a fraternity of duellists, who had dubbed themselves the “Fire-eaters,” was in the highest repute, and that one of these gentlemen had fought sixteen duels in two years, or one in every six weeks, thirteen of them having been with pistols and three with swords. It appears that while swords were patronized in Galway for the purpose of settling slight differences of opinion, in Tipperary pistols were the weapons; while in Roscommon, Mayo, and Sligo, they were not particular which it was, being able to do justice to their friends either with steel or with lead.

When referring to the proceedings adopted in affairs of honour, that were settled by a reference to firearms, Sir Jonah says that it was not always thought necessary to measure the distance which was to separate the combatants, in fact, on some occasions each fired as soon as he was ready to do so, without waiting for any signal; and on one, at which he was present, the principals were placed a hundred yards asunder (what would Sir Lucius O’Trigger have said), and then one kept moving towards the other until he thought he was near enough to fire with some chance of success. The moving man, however, got wounded, while his

opponent remained uninjured. He likewise describes how his grandfather, Colonel Barrington, fought a duel on horseback in 1759. According to an ancient practice, the combatants on this occasion, being supplied with plenty of ammunition, advanced against each other with a gallop ; firing at each other only when at a gallop. On this occasion, each having fired off their pistols, which had been loaded to the muzzles with bullets and swan drops, they then drew their broad swords, when a fierce battle ensued, both being severely gashed, and the duel ended.

Sir Jonah Barrington relates, as follows, the fatal result of an incident whereby his brother, William Barrington, was killed :—“ In consequence of an after-dinner quarrel between that gentleman and Lieutenant McKenzie, a meeting took place in a verdant field on the banks of the Barrow, midway between Athy and Carlow. The combatants fired and missed ; they fired again and no mischief ensued. A reconciliation was then proposed, but was objected to by Captain (afterwards the celebrated General) Gillespie,¹ who was the second of Lieutenant McKenzie, and who insisted that the affair should proceed. Mr. Barrington, who had previously held out his hand

¹ The officer who quelled the mutiny at Vellore.

to his opponent, and expressed a hope that enough had been done to satisfy the honour of both, made use of some harsh language towards Gillespie, who thereupon losing all control over his temper, suddenly threw a handkerchief to Mr. Barrington, asking if he dared to take a corner of it, and on his attempt to do so, he received a ball from the captain through his body and died that evening. Captain Gillespie was tried for murder before Judge Bradstreet, who clearly laid down that it was such in his charge to the jury, who, however, gave a verdict of 'justifiable homicide.' "

Dr. Cobb, in his "Reminiscences of Duelling in Ireland," tells how the making up of one quarrel brought about a duel between two gentlemen who were in no way connected with the first parties. The facts appear to have been as follows:—A military officer quartered in Dublin in 1830, having spoken disparagingly of a lady, a near relation of a Mr. B—, the latter demanded an explanation from the officer when he met him dressed in uniform. This being evaded in an insolent way, a quarrel ensued which resulted in Mr. B— using his horsewhip to the officer, who would have retaliated with his sword had not the bystanders interfered. This occurred in Grafton Street, at the corner of Wicklow Street, then

called Exchequer Street. A hostile meeting was soon arranged, but was frustrated by the arrest of Mr. B—, who lost no time, when released on bail, in communicating to the officer his anxiety to renew the duel. It was then arranged that both parties should proceed to France, but the journey was rendered unnecessary by a compromise that included the officer's consent to accept a written apology from Mr. B—, which was delivered in the presence of military and other gentlemen.

The undignified conclusion of this affair gave rise to much public comment, and it soon got noised about that some officers of the corps to which the one Mr. B— was to have fought belonged, felt that with respect to the honour of the regiment they were placed rather in a dilemma. This impression was somewhat strengthened by an unfortunate affair which, occurring immediately afterwards, created a painful sensation in Dublin. Captain Roland Smith, of the same corps, while driving his cabriolet in Nassau Street, accompanied by a brother officer, approached directly against the horse ridden by Mr. Standish O'Grady, and thus compelled that gentleman to raise his whip in order to drive off the horse driven by Captain Smith, who thereupon applied

his whip to Mr. O'Grady's shoulders. An immediate challenge was given and accepted, the duel taking place on the 18th of March, 1830, near Dolphin's Barn, when Mr. O'Grady fell mortally wounded.

For this, Captain Smith and his second, Captain Markham, afterwards General Markham, who died in the Crimea, were committed to Kilmainham Prison, and were brought to trial, "for killing Mr. Standish O'Grady in a duel." The trial took place before Lord Plunkett and Judge Vandeleur, when the two officers being found guilty were each awarded twelve months' imprisonment.

CHAPTER III.

Captain Macrae—His character and pursuits—Violent temper—Fondness of theatricals—Parts he and his wife took in various plays—Ridiculous quarrel with Sir George Ramsay about the conduct of a servant—Letters between the two gentlemen—The challenge—Duel at Musselburgh and death of Sir George Ramsay—Captain Macrae outlawed—Dies in France thirty years afterwards—Dispute between Colonel Fullarton and Lord Shelburne—Duel in Hyde Park—Lord Shelburne wounded—Lord Balcarres' conduct—Duel between Mr. Donovan and Captain Hanson—Miserable cause—Death of Captain Hanson, and trial of Mr. Donovan—Result—Sanguinary duel between Mr. Cunningham, Scots Greys, and Mr. Riddell, Life Guards—Old quarrel renewed—Fresh challenge—Fought at eight paces—Both wounded—Death of Mr. Riddell—Lord Lonsdale and Captain Cuthbert's affair of honour—Insolent conduct of the former, and lucky escape of the latter—Another instance of luck in a duel between Captain S. and a French officer—What an old horse-shoe was worth—Also the advantage of having a five-franc piece in the waistcoat pocket.

NEAR the close of the last century one of the wealthiest and most fashionable men in Edinburgh was Captain James Macrae, who had formerly been an officer in the Irish Carabineers, and who

at the time we speak of, being in the prime of life, was again thinking of entering the army, when the unfortunate affair we are about to relate took place. Being a gentleman of property, and connected on his father's side with the Earl of Glencairn, to whom he was cousin, while he was nearly related on his mother's side to Viscount Fermoy and the celebrated Sir Boyle Roach ; he, as may be supposed, mixed in the very best society of Edinburgh. Birth and a military title were however not his only recommendations. Possessing a handsome figure, he was likewise one of the best amateur actors of his day, a *rôle* in which Mrs. Macrae also excelled—she, we may add, was a Miss Le Maistre, a daughter of the Baroness Nolken, wife of the Swedish Ambassador—and so eagerly did Captain and Mrs. Macrae follow out the bent of their genius, that they had a theatre built in their house at Marionville,¹ which was situated between Restalrig and the eastern suburbs of Edinburgh. Theatricals at this time were rather under a cloud in the Scottish metropolis, so far as the public generally was concerned ; the clergy having for years denounced the play-house as the house of Satan, the actors as imps

¹ Originally named "Lappets Haa" because it was built by a milliner who had made a fortune.

of the devil, and the audiences, candidates for speedy admission to the lower regions. Captain Macrae, of course, cared little for the opinions of the ministers, and his mansion was the gayest of the gay, while his private theatricals were so successful, that an admission to them became a privilege for which the highest in the land would contend.

Amiable and generous to a fault, he was at the same time one of the most violent tempered men in existence, and it was this which had got him previously into many scrapes. Naturally he was neither savage nor cruel, but his inability to control his fiery temper often caused him to do things for which he was afterwards sincerely sorry ; and it was this, and this alone, which led to his fatal duel with Sir George Ramsay, who had recently returned from India, with an addition to his fortune, and was now settling down in his native country, and near all his friends, to end his days. Sir George Ramsay, of Banff, and his wife, as may be expected, were frequent spectators of the Marionville theatricals, and often saw their host take the character of Dionysius in the "Grecian Daughter," and their hostess that of Euphrasia, as well as many characters in high comedy. The *Edinburgh Even-*

ing Courant, of Thursday, 26th January, 1790, mentions, under the heading of "Private Theatricals," that "the performance of the tragedy of the 'Grecian Daughter,' which took place at Marionville on Friday last (15th January, 1790), was in every respect delightful. Mr. Macrae in the first part of Dionysius gave infinite satisfaction. His figure, which is remarkably handsome, and his countenance at once manly and expressive, every way suited him for that character. He was particularly great in the third act, when describing to Philotas the cares that accompany a regal state —Sir John Wrottesley played the part of Philotas with great judgment. His voice was remarkably pleasing. Mr. Kinloch was exceedingly great as Evander. His first scene with Euphrasia was very affecting. Mr. Justice supported the part of Melancthon with much propriety. But it is impossible to do justice to Mrs. Macrae in the part of Euphrasia; suffice it to say, that the part was never better performed on any stage, either by a Siddons or a Crawford.

"It is difficult to say whether her tragic or her comic powers are most excellent, as in both she gives equal satisfaction. Her performance of Lady Racket in 'Three Weeks after Marriage' was superior to anything we have ever seen of the

kind. Mr. Hunter, in Sir Charles Racket, was inimitable. His manner was easy, and perfectly that of a gentleman, and his mode of acting truly natural. Mr. Justice,² in Drugget, showed much zeal and comic humour, and gave proofs that he thoroughly understood the character."

The chief female performer, we may add, at Marionville, after Mrs. Macrae, was Mrs. Carruthers, of Dormont, a daughter of the celebrated artist Paul Sandby. In "Kay's Portraits" (to which and to Chambers' *Traditions of Edinburgh* we are indebted for most of the materials about this duel), Captain Macrae is shown pistol in hand practising at a barber's block. There is no foundation we believe for the story; and possibly the artist may have been induced by personal feelings of respect towards the unfortunate Sir George Ramsay to caricature his opponent. In the likeness he cannot be said to have flattered Captain Macrae, whom he represents as standing erect discharging a pistol from an arm uncommonly thin, and quite out of proportion in that respect to the

² Captain Justice was also a very handsome man, his address, we are told, "being peculiarly agreeable and fascinating, and both in appearance and manner he bore no slight resemblance to George IV." His house and purse were always open to any actor or band of strolling players that happened to come near.

legs that support the body. The features of the face are flashing eyes, high cheek-bones, a well-shaped nose, short upper lip, and a long chin. No one from the portrait would ever take him for the handsome man he is generally allowed to have been.

The cause of the quarrel between Captain Macrae and Sir George Ramsay was a very paltry one, a by no means uncommon thing in the duelling days. On the evening of the 7th April, 1790, the former gentleman handed a lady out of the Edinburgh Theatre, and seeing two men approaching with a sedan-chair, called to ask if they were engaged, and received a distinct answer in the negative. As the captain was about to place the lady in the chair, a footman rushed forward, and seizing hold of one of the poles, said it was engaged for his mistress. The footman was not only drunk, but as it afterwards appeared he was unconscious that his mistress had left the theatre and gone home some time before; but not being aware of this, had determined to get hold of the first sedan-chair he could see. As he would not quit his hold, Captain Macrae rapped his knuckles with a short cane, upon which the man struck him and called him a scoundrel. To a passionate man like the Captain, either a blow or

an epithet such as was applied to him was enough to make him lose temper, so he thrashed the footman. A gentleman afterwards gave evidence that he had been insulted earlier in the evening by the same servant in precisely the same manner, and that the man then was apparently drunk.

Learning that it was Lady Ramsay's servant he had chastized, Captain Macrae came early into town next day for the purpose of explaining the matter, and meeting Sir George in the street, he expressed to him his concern on the subject. Sir George answered, the servant had been but a short time with him, was Lady Ramsay's footman, and that he did not consider himself to have any concern in the matter. Captain Macrae then said, he would go and make an apology to Lady Ramsay, which he did,³ "finding her," as Mr. Chambers says, "sitting for her portrait in the lodgings of the young artist Raeburn, afterwards so highly distinguished."

James Merry, the servant, having received a cut on the head, and doubtless being incited to it by his brother footmen, served a summons for assault on the 12th April upon the captain. Feeling hurt at this as well as by the receipt of an anonymous letter, stating that a hundred and

³ *Scots Magazine*, 1790.

seven men-servants had sworn to have revenge upon him, Macrae wrote the following letter to Sir George, whom certainly he treated with scant courtesy :—

“ Marionville, Tuesday, 2 o’clock.

“ SIR,—I received last night a summons at the instance of James Merry, your servant, whose insolent behaviour at the theatre on Wednesday last I was obliged to punish severely, which was the reason of my not insisting upon your turning him off ; but as he has chosen to prosecute me, I must now insist that he shall either drop the prosecution, or that you shall immediately turn him off. As to his being Lady Ramsay’s servant, it is of no consequence to me ; I consider you as the master of your family, and expect what I have now demanded shall be complied with.

“ I am, Sir, your humble servant,

“ JAMES MACRAE.”

To this Sir George temperately replied “ that he had only now heard of the prosecution for the first time ; and that he hoped Captain Macrae, on further consideration would not think it incumbent on him to interfere, especially as the man at present is far from being well.”

The same evening a Captain Amory, a military

friend of Captain Macrae's called upon Sir George, with a second note, and as Sir George refused to turn his servant away, a meeting was arranged to take place the following day at noon, at Ward's Inn, on the borders of Musselburgh Links.

The parties met there accordingly, Sir George having for his second Sir William Maxwell, Captain Amory attending upon Captain Macrae; Mr. Benjamin Bell, the eminent surgeon (and author of many works), being also of the party. A Captain Haig was likewise present, to favour them with his advice, but not to act formally as a second. The parties being in different rooms, Sir William Maxwell came in with the proposal from his principal, that if Captain Macrae would apologize for the intemperate style of his letters, the servant would be discharged. This was vetoed by Captain Haig, who replied, "It is altogether impossible; Sir George must in the first place turn off his servant, and then Captain Macrae will apologize." At this, according to Mr. Bell, Captain Macrae burst into tears. The principals and the others then walked to the beach, and having taken their distance, about fourteen yards, waited for the signal. On the word being given, Sir George took deliberate aim at his adversary, the neck of whose coat was grazed by his bullet. Captain

Macrae had, if his own solemn assertion is to be believed, intended to fire in the air ; but when he found Sir George thus aiming at his life, he altered his resolution, and brought his antagonist to the ground with a mortal wound in the body.

Captain Macrae appears to have been greatly affected at the result, and it was only at the urgent solicitations of Sir William Maxwell that he could be induced to leave the field. Sir George only lived two days ; and from such stories as the practising at the barber's block, and that the pistols provided were deadly ones in the hands of those who understood them, but unserviceable to any one else, the public mind was greatly exercised against Captain Macrae. As we have already mentioned, there was never the least truth in the barber's block story, the pistols, again, he had never seen until one of them was placed in his hand on Musselburgh sands ; they were, in fact, a bad brass-mounted pair, hastily furnished by Captain Amory.

Acting on the advice of his solicitor, Captain Macrae and his second escaped to France, and as he did not appear on the day fixed for his trial, sentence of outlawry was passed against him ; and although he lived there thirty years afterwards, he was never the man again that he had

been; for far away from friends, country, and home, he passed a remorseful and miserable life until the end came, on the 16th of January, 1820. Still, we believe, but for Captain Haig the duel would not have taken place. Previous to his outlawry, Captain Macrae took the precaution to convey his estate to trustees, who subsequently, but in conformity with his instructions, executed an entail upon it.

Ten years before this time (March 20, 1780), Colonel Fullarton, M.P. for Plympton, complained to the House of the Earl of Shelburne's ungentlemanly behaviour, who, he said, "had dared to say, with all the aristocratic insolence that makes that nobleman's character, that he and his (Colonel Fullarton's) regiment were as ready to act against the liberties of England as against her enemies." As an Irishman would say, here was the makings of a foine duel, and accordingly one took place two days later, of which the following is an authentic narrative:—

"Lord Shelburne, with Lord F. Cavendish for his second, and Colonel Fullarton, with Lord Balcarres for his second, met at half-past five a.m. in Hyde Park, March 22nd, 1780. Lord Shelburne and Colonel Fullarton walked together, while Lord Balcarres and Lord Frederick Cavendish adjusted all ceremonials. As the seconds had agreed that

both parties should obey them, they fixed on pistols as the proper weapons to be used. When they came to the ground, Lord Shelburne said his pistols were already loaded, and offered to draw them, which was rejected by Lord Balcarres and Colonel Fullarton, upon which Lord Balcarres loaded Colonel Fullarton's pistols. The seconds having agreed that twelve paces was a proper distance, the parties took their ground. Colonel Fullarton desired Lord Shelburne to fire, which his Lordship declined to do; then Colonel Fullarton was ordered by the seconds to fire. He fired and missed. Lord Shelburne returned it and missed. Colonel Fullarton then fired his second pistol, and hit Lord Shelburne in the right groin, which his Lordship signified, upon which everybody ran up. The seconds interfered; Lord Frederick Cavendish offered to take the pistol, but his Lordship refused to deliver it up, saying, 'I have not fired that pistol.' Colonel Fullarton returned immediately to his ground, which he had left with a view of assisting his Lordship, and from there repeatedly desired his Lordship to fire at him. Lord Shelburne said, 'Surely, sir, you do not think I would fire my pistol at you?' and fired it in the air.⁴ The parties and their seconds joined together.

⁴ Lord Balcarres was evidently a gentleman of Captain

Lord Balcarres asked Lord Shelburne if he had any difficulty in declaring he meant nothing personal to Colonel Fullarton, to which his Lordship replied, 'You know it has taken another course; this is no time for explanation.' His Lordship then said to Colonel Fullarton, 'Although I am wounded, I am able to go on if you still feel any resentment.' Colonel Fullarton said, 'I hope I am incapable of harbouring such a sentiment.' Lord F. Cavendish declared that, from the character he had heard of Colonel Fullarton, he believed so. Colonel Fullarton then added, 'As your Lordship is wounded and has fired in the air, it is impossible for me to go on.' The seconds immediately declared 'that the parties had ended the affair by behaving as men of the strictest honour.' "

The month following this duel (April), the assizes held at Kingston-on-Thames were partly taken up in trying a Mr. Donovan for having killed, in a duel, Captain James Hanson, the prisoner voluntarily surrendering himself. The judge was the Hon. Mr. Gould; and it appeared, from a number of witnesses, that the deceased was

Haig's temperament, and was possibly a good second, although we cannot find any trace of his ever appearing in the part of a principal in an affair of honour.

entirely in fault, and had forced Mr. Donovan to meet him in a field near the "Dog and Duck." It also appeared that the only ground of quarrel between the prisoner and deceased was that Mr. Donovan interfered between Captain Hanson and another person, and prevented their fighting ; on which Captain Hanson gave him very abusive language, and said "he would make him smell powder."

The deceased fell at the first fire, having been wounded in the belly, and only lived twenty-four hours afterwards. He, however, frequently declared to the two surgeons attending upon him that Mr. Donovan behaved, during the duel and after it, with the greatest honour, tenderness, and concern ; and he particularly desired that no prosecution should be carried on against him, as he himself was solely in fault by an unprovoked rashness of temper and heat of passion.

The jury, without going out of court, acquitted Mr. Donovan of the murder, but found him guilty of manslaughter on the coroner's inquest. The judge fined him ten pounds to the King, which being paid in the court, he was immediately discharged.

A sanguinary duel, and one under very exceptional circumstances, took place on April 21st,

1783, between a Mr. Cunningham, of the Scots Greys, and Mr. Riddell, of the Horse Grenadiers. Both of these gentlemen had formerly belonged to the Greys, and when in that regiment had had a dispute over some gambling transaction. Mr. Riddell had then challenged Mr. Cunningham, which challenge Mr. Cunningham, at the time, declined to accept; but as many of his brother officers kept reviving at intervals this instance of his presumed cowardice, Mr. Cunningham found it necessary, for the full restoration of his honour, and if he meant to remain in the regiment, to call out Mr. Riddell. This raking up of the past Mr. Riddell considered out of reason, and therefore declined attending to the other's challenge until he had consulted his brother officers, who unanimously agreed there was no obligation on him to "go out" with Mr. Cunningham.

This determination he caused to be conveyed to the Scots Grey officer, who, however, resolved upon forcing Mr. Riddell to the point, feeling, we suppose, that both his commission and his position in society were at stake. Accordingly, when he met Mr. Riddell accidentally at Mr. Christie's, the army agent's, he spat in his face. Mr. Riddell, simply observing "This is a fresh insult; I will take notice of it," went away.

Proceeding home, he began to arrange his affairs; but before he had completed these, he received a note from Mr. Cunningham, reminding him of the affront just passed upon him, and declaring his readiness to give him satisfaction. This missive, coming while the wafer was quite wet, fell into the hands of Sir John Riddell, who, doubtless being under some apprehension about his son, opened it, and, having read the contents, closed it again, and without taking any further notice, sent it on to his son by a servant. He, however, provided for the assistance of several of the first surgeons of the day should his son be wounded, and then anxiously awaited the result.

The meeting was fixed for the same day. They were both punctual, Mr. Riddell attended by Captain Topham (afterwards, we believe, proprietor and editor of the *World* newspaper), of the Horse Grenadiers, and Mr. Cunningham by Captain Cunningham, of the 69th Regiment of Foot.

Eight paces having been measured by the seconds, the principals took their ground, pistols in hand. They tossed up for the first fire, which Mr. Riddell won; and firing, shot Mr. Cunningham under the right breast, the ball passing, as was supposed, through the ribs, and lodging in

the muscles on the left side of the back. The moment Mr. Cunningham received the shot he reeled, but did not fall. Opening his waistcoat, he declared he was mortally wounded. Mr. Riddell still remained on his ground, when Mr. Cunningham, after a pause of two minutes, said he would not be taken off the field until he had fired at his enemy. Taking a steady aim, Mr. Cunningham then presented his pistol, and shot Mr. Riddell in the groin, who immediately fell, and was carried in a hackney coach to Captain Topham's lodgings, where he lingered until seven o'clock on Tuesday morning (22nd), and then expired.

At the coroner's inquest, which was held the following day, on the body of George Riddell, the jury sat for four hours, and, after a very strict examination of the seconds and of a servant of the deceased, they brought in a verdict of "manslaughter" against the survivor.

Many duellists have owed their lives to the brass buttons so much worn by our grandfathers, and it was to this Captain Cuthbert, of the Guards, owed his lucky escape when he fought a duel with Lord Lonsdale in 1792. The captain, it seems, was on duty near to Mount Street, in London, in order to prevent any increasing disturbance in

that quarter, and one of his orders was to allow no carriage to pass that way. Lord Lonsdale, who came in his carriage to Mount Street, was consequently stopped, and, finding he would not be allowed to pass, his temper was somewhat ruffled. Addressing himself, therefore, to Captain Cuthbert, he said to that officer, "You rascal, do you not know that I am a peer of the realm?" The captain promptly replied, "I don't know whether you are a peer of the realm or not, but I know you are a scoundrel to apply such a term to an officer on duty, and I will make you answer for it."

A meeting, of course, took place as soon as the captain got off duty and the preliminaries could be arranged, but, after the discharge of a brace of pistols on each side, it terminated without injury to either party. Lord Lonsdale's last shot, however, would probably have been fatal if the ball had not luckily struck a button of Captain Cuthbert's coat, which repelled it. The seconds then interfered, and matters were amicably adjusted.

An even more wonderful affair happened in 1787, when a French officer having said in an unguarded moment, "that the English army had more *phlegm* than *spirit*," he was soon afterwards challenged by an English officer, Captain S.—,

of the 11th Regiment of Foot, for having made use of these words. As the Chevalier La B—— refused either to apologize for, or to withdraw the expression, a duel took place, and the offence was considered by the Briton to be of so deadly a kind—or, rather, one which nothing but the death of the utterer could extenuate—that he insisted upon fighting at five paces. If the two arms and the two pistols are taken into account, this short distance was, of course, much reduced, so that, apparently, neither had a chance of escaping. Seemingly, they had tossed, or done something else, for “first fire,” which the Englishman won, and Captain S——’s ball “took place,” as might be expected, on the Chevalier’s breast, but, by a marvel of luck, it was stopped by a metal button. The Chevalier, touched by so providential an escape, magnanimously fired in the air, and did not stop at that, but made a full apology, by stating that the English have both spirit and phlegm.

We read elsewhere of another duellist picking up on his way to the place of meeting a horseshoe, which, for “luck,” he placed inside of his coat over his heart, and the bullet happening to strike there, the horseshoe saved his life. General Bonnet, in his duel with General Ornani, in Paris, in 1814, owed his life to having a hundred franc

piece in his waistcoat pocket ; a tale which calls to mind the story of the jester Perpignan, who, on hearing that one of the parties owed his life to a five franc piece which happened to be in his pocket, replied very seriously, “ Ah ! but I would have been killed.” “ Why ? ” was the natural inquiry. “ Because, my dear fellow,” he replied, “ I never have a five franc piece to spend, much less to put into my pocket.”

CHAPTER IV.

Trial of Major De Finney at Ghent—Cruel punishment for coining—Colonel Wood, president of Major De Finney's court-martial, blamed for the finding and sentence of that tribunal—Colonel Wood's singular challenge to all Frenchmen in the English Army—Answer thereto—The meeting—The colonel drives his opponent off the field, but is sentenced to death for fighting in a royal park—The ladies procure his pardon—Stupid custom of the period in order that a young officer should give evidence of his courage—Ludicrous instance of this in the case of Colonel Guise—The man who had killed half his regiment—Dr. Young's water-party—His musical abilities—A note of discord—The doctor complies—A dancing lesson afterwards—Duel at Grosvenor Gate between Sir John Macpherson and Major Browne—Three shots fired harmlessly—Unfortunate difference between Captain Wray and Ensign Sawyer as to a servant's behaviour—Ensign Sawyer challenges his captain, and although remonstrated with, insists on fighting—He is killed—Quarrel between Captain H. Aston and Lieutenant Fitzgerald—Duel and murderous aim of the lieutenant—Captain Aston wounded, and then fires in the air—Lax conduct of the seconds.

ONE of the most singular challenges ever issued appears in the biography of Colonel (afterwards General) Wood, a distinguished but rather eccen-

tric officer, who flourished during the reigns of William III. and of Queen Anne.

From that it appears a Frenchman, in Ghent, having been detected in coining false money, was tried, and being found guilty, was condemned to death for the offence. With the view of making the unfortunate man discover his accomplices, he was put to the torture, and, when on the rack, confessed that a Major De Finney, of Lord Galway's Regiment, had been his accomplice ; but before the sentence—to be thrown alive into a cauldron of boiling oil—was carried into effect, he strenuously denied the statement, which had been literally tortured from him, and fully acquitted the major of any participation in the crime. Nevertheless, according to the customs of these good old times, Major De Finney would have met with a like fate if the generosity of the English Governor had not protected him until the army took the field in 1697, when the major was ordered to be tried by a court-martial, of which Colonel Wood was president. By this court, and presumably upon very slight evidence, the major was found guilty, sentenced to be cashiered, and declared incapable of ever again serving in the English army. This severe sentence distressed his friends greatly, and naturally their anger found vent in words, they

declaring the tribunal was not only scandalous and disgraceful in itself, but was likewise a proof of the moral incompetence of the president. Then, as now, we suppose, there were always goodnatured friends about, who did not fail to tell these conversations and unflattering remarks to Colonel Wood, and he, being a man naturally of an excitable nature, felt greatly offended, so much so in fact that he posted the following quaint challenge on a church door at Brussels :—

“ Whereas the proceedings of the Court-martial which cashiered Major Abraham De Finney, and whereof I was president, have been scandalously misrepresented to the world, I do hereby declare that whatever Frenchmen, of what rank in the army or quality whatsoever, have said, or do say, that the Court-martial which cashiered the said De Finney has done him any injustice, they are rascals, cowards, and villains ; and that they all may know who it is that has publicly set up this declaration to vindicate the honour of his nation, of the Court-martial, and of himself, and to throw the villainous scandal upon themselves, which most unworthily they would have put upon an English Court-martial, I have hereunto set my name.

“ CORNELIUS WOOD.”

The Frenchmen then in the English service¹ were much annoyed at this sort of open challenge to all comers, each thinking it was addressed specially to himself; but more particularly a relation of Major De Finney, who at once forwarded to Colonel Wood a letter which was meant to be an answer to the latter's general challenge. This letter, which appointed a place of meeting, he gave to his aide-de-camp, charging him not to mention its contents to any person whatever. Shortly afterwards he mounted his horse and rode into Brussels to the rendezvous, when he found his antagonist in the park there awaiting his arrival. Punctuality at such a time could not have been over-cheering to the French officer's spirits, for there was Colonel Wood, both anxious and ready to begin. Swords being the weapons agreed upon, they at once took their ground, and, drawing their blades, stood each for a moment upon the defensive. It was but for a moment, for

¹ After Louis XIV. revoked the edict of Nantes, by which much toleration had been granted to the reformed religion in France, a vast number of French Protestants of all ranks and classes came to England to avoid the tyrannical persecutions which were carried on against their brethren, and several excellent officers and many well-disciplined soldiers were incorporated from among these refugees into the British army.

the Englishman was far different from Sir Richard Strahan or the Earl of Chatham.* Colonel Wood attacked the Frenchman with such impetuosity that the latter thought it more prudent to trust to his heels than to his sword, so he fairly turned and ran for his life, the Colonel following at his fastest, but, being encumbered with a pair of heavy boots, the other got clear out of the park gates long ere the Englishman got that far.

Colonel Wood, having thus vindicated his country, his own and the court-martial's honour by putting his life in danger, now discovered that he had equally imperilled it by fighting a duel in a park belonging to the Court of Brussels, it being death then by the laws of that country for any person to draw his sword with a hostile intent within the precincts of a royal park. The ladies, however, would not hear of so brave a man losing his life, and, interposing, procured a free pardon for him from the Elector of Bavaria, on receiving which Wood said "that he was quite ignorant of the laws of the country; yet, if it had been at the

* In reference to the old lines:—

The Earl of Chatham with his sword drawn,
Was waiting for Sir Richard Strahan;
Sir Richard longing to be at 'em,
Was waiting for the Earl of Chatham.

altar, he would have answered a challenge wherein the honour of the English nation was concerned."

Duelling in the army might possibly have died out half a century sooner than it did had it not been kept alive amongst military men in consequence of an idea, which the old officers promulgated and young ones were taught especially to believe in ; and it was quite common when a cadet or a newly-appointed ensign joined a regiment for him to be told that, unless he inaugurated his career in the service by giving some proof of bravery or fearlessness, he would be sent to Coventry—that theoretical penal settlement for officers of the army who fail to follow the manners and customs of their predecessors. Hence many a young soldier whose disposition was of the most lamb-like description found himself obliged, after joining his regiment in these bygone days, to clothe himself for the nonce in a lion's skin, however much of a misfit that might be. The practice certainly was common, and often caused bloodshed, and sometimes mirth. The following story is a ludicrous example of the custom :—

As Colonel Guise was proceeding to Flanders in a small sailing-vessel, shortly before the battle of Dettingen (fought June 15th, 1743), he noticed rather a raw young man, who had taken his

passage in the same packet, and whose destination, he ascertained, was the same as his own. With his customary good-nature, the colonel offered him the share of his chaise to Antwerp, a courtesy the young ensign accepted with many thanks and acknowledgments. On joining his regiment, he was duly informed by some of the other young fellows in the corps that, if he meant to rank along with them, he must first give unmistakable proof of his courage by challenging and fighting some officer of known valour. To this he replied he only knew one person answering such a description, and that was Colonel Guise, a gentleman whose courtesy and generous conduct towards himself had placed him under so great an obligation that he could not think of doing as they suggested. He was, however, told that that made no difference. The colonel was the very man, for everybody knew he was exceptionally brave, and unless he—the newly-joined ensign—wished to be ostracised from their society, he would have to challenge the colonel to mortal combat. Believing all they said to be true, the young officer made up his mind to do their behest; and, seeing Colonel Guise, shortly afterwards, walking up and down in the coffee-house used by the officers of his regiment, he went up to him, and, in a hesi-

tating kind of way, began by explaining how grateful he felt and how sensible he was of the kindness the colonel had shown to him, a comparative stranger.

“Sir,” replied the partly-astonished colonel, “I only did what was courteous, and no more.”

“But, colonel,” rejoined the ensign with increasing nervousness, “I am told that I must fight a duel with some gentleman of known courage; one that has killed several persons, and knowing nobody—”

“Oh, sir,” interrupted Guise, “your friends do me too much honour. But there is a gentleman,” pointing to a fierce-looking black fellow sitting at a side-table, “who has killed half the regiment; go and challenge him.”

Acting upon this advice, and now having no compunctions of conscience, when an utter stranger had to be challenged, the budding hero stepped towards the fierce-looking individual of the swarthy aspect, and having first introduced himself, and complimented the other upon his great bravery, requested to have the honour of fighting a duel with him.

“What, fight me, sir?” answered this presumed slayer of his fellow-creatures, in accents of

the greatest astonishment, “*why, I am only the apothecary.*”

An even more ridiculous affair took place in England, about the year 1720, between Dr. Young and an officer belonging to the Woolwich garrison. Vauxhall was then the rendezvous of all the beauty and fashion of London, its splendid walks being filled with the beaus and the belles of the period, who sauntered along to the strains of enchanting music by day, while by night the spots of green sward rang with their joyful voices, as they walked through cotillions or minuets, or danced in Sir Roger de Coverleys. The reverend doctor and some ladies were, on the occasion we refer to, going to Vauxhall by water; and to pass the time, as well as to amuse his fair friends, he played them some tunes on the German flute. Behind them was a boat, in which were several officers, rowing for the same goal, and as these soon came alongside the one the doctor and his party were in, he ceased playing. One of the officers immediately asked why he did so?

“For the same reason I began,” answered Dr. Young, “to please myself.”

The reply to this was an order to continue playing, ending with a threat that if he did not do so, he (the officer) would toss the doctor into the

Thames. Wishing to avoid any semblance of a row, which would only have frightened those along with him, Dr. Young complied with the insolent demand and played all the way up the river to Vauxhall.

During the evening, however, the doctor observed the officer, who had been so musically inclined, by himself in one of the walks, when he went up to him, and with great coolness said,—

“ It was, sir, to avoid interrupting the harmony of either my company or yours that I complied with your arrogant demand, but that you may learn courage is to be found under a black coat as well as under a red one, I expect you will meet me to-morrow morning at a certain place without any second, the quarrel being entirely between ourselves.”

The doctor further covenanted that the affair should be decided by swords, to all of which conditions the officer readily agreed. The parties met the following morning as had been arranged, but the moment the officer had taken his ground, and drawn his sword, the doctor pulled out a horse-pistol, and presented it at him.

“ What,” exclaimed the officer in a fright, “ do you mean to assassinate me ? ”

“ No,” replied the doctor, “ but you shall in-

stantly put up your sword, and dance a minuet, otherwise you are a dead man."

The other at this began to swear at his opponent, as well as to vow he would do nothing of the kind ; but the doctor was resolute, giving the officer clearly to understand that if he did not begin to dance before he (Young) counted thirty, the threat would be carried into effect. In slow time the doctor began to count, "one, two, three," and by the time he had got up to "ten" the sword was returned into its sheath, and before he had counted "twenty" the officer was going through a minuet, as stately as a man could do that had a loaded pistol levelled within but a few feet of his head. After a quarter of an hour's practice, the muzzle of the pistol was lowered, the holder of it saying, as it fell,—

"That will do, sir; we are now quits. You forced me to play against my will, and I have compelled you to dance against yours. Being now on a level, I will give you whatever other satisfaction you require. The next affair will, of course, be with seconds. You know where to find me. Good morning."

The doctor, however, heard no more of the matter. The officer doubtless coming to the conclusion that as what had occurred would not at

all redound to his credit, the less said upon the subject the better.

Affairs of honour, such as the two we have just related, show that duelling occasionally had its comic as well as its tragic side; but instances of the latter are, unfortunately, so plentiful, and of the former so rare, that the one soon obliterates all remembrance of the other from our memories. In fact, so common were duels in past times that, in nearly all cases, the most meagre details are given of what took place. Even when the Dukes of Bedford and Buckingham fought near the Gravel Pits, where the Kensington Museum now stands, very little notice was taken of it in the newspapers. One account of it was certainly amusing, as it is made to appear that both of these noblemen were unnerved by seeing, on a board, after they had taken their ground, the ominous words, "*Rubbish shot here.*" At any rate, neither of them was wounded. As a rule, therefore, a paragraph of half a dozen lines was considered sufficient to tell how two gentlemen quarrelled, met, fired one or more times at each other with or without effect, as the case might be, or as in the following case, when "*one was taken, and the other left.*"

Lieutenant Torrens and Ensign Fisher both

belonged to the 6th Regiment of Foot, which was at that time quartered in the barracks at Chelmsford, in Essex. Having had a few words at mess over some trifling matter, they met the following morning on Galleywood Common, accompanied by their seconds, to settle their quarrel. They got there by daybreak, and, as soon as the necessary preliminaries had been arranged, were placed back to back, and at a given signal which had been agreed upon, both turned sharp round towards each other and fired their pistols together. Lieutenant Torrens received his adversary's ball in the groin, and immediately fell, when Mr. Fisher, who was unhurt, went towards him, and, taking him by the hand, expressed his extreme regret at the lamentable consequence which had resulted, as, from the nature of the wound, he was apprehensive it would prove fatal.

Assistance having been procured, the wounded man was carried to a windmill, situated a short distance from where the duel took place, and as soon as possible he was removed from thence to his quarters in barracks, where every attention was rendered that his unfortunate situation could require. The ball, having lodged in the opposite side to that on which it entered, was extracted by Dr. Welsh at four o'clock in the same afternoon;

but all was to no purpose, as he expired between nine and ten o'clock the following morning (Sunday).

An inquest was held by J. O. Parker, Esq., jun., the coroner for the county, on the Monday, when the jury, after viewing the body, returned a verdict of "Wilful murder" against Mr. Fisher and the two seconds, one of whom was arrested; but the surviving principal and the other second made their escape, and, as far as we can discover, they were never brought to trial for the offence.

On the 10th September, 1787, a duel took place in Hyde Park between Sir John Macpherson and Major Browne, when, although the latter fired three shots and the former two, neither of them were wounded. Accompanied by their seconds, they met near the Grosvenor Gate about eleven o'clock on the morning of the day named above, and, a quiet spot having been fixed upon, they took their ground. The pistols were loaded in their presence, and it was agreed they should both fire at the same time by signal, which was done, but neither shot took effect. As they both expressed a wish to continue, the pistols were loaded again, but, although Sir John received the major's second fire unscathed, his own pistol only flashed in the pan. This, though considered a shot by the strict laws

of duelling, usually, as a rule, brought the proceedings to an end; so Colonel Murray, who was Sir John's second, asked Major Roberts, who was acting in the same capacity for Major Browne, if his friend was satisfied. To this question Major Browne would only answer he was quite satisfied. Sir John had behaved with great gallantry, and *much like* a man of honour. As might be easily imagined, such a qualified approval of his conduct did not exactly please Sir John, so he asked for a plainer, or, rather, a more satisfactory answer from his opponent, which the latter declining to make, the affair proceeded, and a third shot was exchanged with no better or worse results. The seconds having then expressed their opinion that each had behaved as became gentlemen and men of honour, the principals approached each other, exchanged a few courteous words, and parted with salutations of civility. Both parties then quitted the ground.

A duel that was fought at Kinsale, in Ireland, on March 15, 1751, resembled in some respects the fatal meeting between Captain Macrae and Sir George Ramsay, which we gave an account of in a previous chapter. It appears that Ensign Sawyer and Captain Wray, both of the same corps, were on detachment duty at Kinsale,

the latter being the commanding officer. The former having been told by his wife that Captain Wray's servant had answered her in a very impertinent manner, went and thrashed the man without considering it necessary to inform the master either before or after the occurrence. The servant, as might be expected, complained at once to his master of the treatment he had received; and, as Captain Wray was in command, he might have settled the matter himself, but this evidently he did not care to do, so he permitted his man to take out a summons against Ensign Sawyer for assaulting him. This coming to Sawyer's knowledge, he, before he could be served with the summons, went to his superior officer's quarters and challenged the captain to fight him there and then for having countenanced such a proceeding in his servant. Captain Wray's evident duty at this point was to have immediately placed his insubordinate subordinate under arrest. Unfortunately, for the young man's sake, this he did not do, being under the impression, apparently, that in such cases "persuasion was better than force." For over an hour he talked to the infatuated ensign, remonstrating with him, pointing out again and again the impropriety of his conduct; but all to no purpose. Hoping still to

prevail upon Sawyer, the captain said he would only fight him some distance from Kinsale; but they had not gone far before the ensign, on a sudden, drew his sword, and at the first onset, before Captain Wray was prepared, wounded him in the left breast, and at the second pass in the left arm, but on the third lounge the captain ran him through the body, killing him on the spot.

In the early part of the year 1790, Captain Harvey Aston and Lieutenant Fitzgerald, of the 60th Regiment of Foot, met one evening at Ranelagh, and quarrelled there about something or other which did not transpire. From some cause, the ill-feeling on both sides seems to have dropped, and all been forgotten, when a few words at mess, in the June following, brought up the old grievance, whatever it was, again, the result of which was that a challenge followed, and a hostile meeting was arranged to take place between them on the 25th of that month. At break of day on that date the parties met in a field belonging to Chalk Farm Lodge, Lord Charles Fitzroy being Captain Aston's second, while Mr. Hood appeared as the friend of Lieutenant Fitzgerald.

They were placed ten yards apart, and it having been agreed that Mr. Fitzgerald should have the first fire, that gentleman, having rested the barrel

of his pistol on his left arm, took a deadly aim at his opponent. How Captain Aston stood while being fired at in that manner is not stated; but from the fact that the ball took a direction so as to first hit his wrist-bone, and then glance from thence under his right cheek-bone, passing out at the back of his neck, he must have stood pistol in hand towards his adversary, and also held his hand pretty high, doubtless with the view of protecting his head. In this he appears to have been successful, for even when the ball glanced, as it did, it went through his cheek-bone, and had it gone two or three inches higher he would have been killed on the spot. Probably the slight check it received saved his life.

On receiving this wound, Captain Aston called out to his antagonist, “Are you satisfied?” to which the lieutenant replied, “I am satisfied;” which he had every right to be, seeing that his opponent had not returned the fire which he had taken with so vindictive an aim. Captain Aston then retired from the ground, and was assisted to his carriage. The wound did not prove mortal.

The astonishing thing is that the seconds allowed Lieutenant Fitzgerald to behave in such a manner, and it is equally astonishing that Captain Aston should not have taken his shot in return. That

the quarrel originally could not have been a very serious one is plain, otherwise it would not have been allowed to go to sleep for six months. Captain Harvey Aston, who was one of the best and bravest officers in the service, and who was neither a duellist nor a bully by nature, was yet, by the customs of the period, compelled to "go out" whenever any one chose to challenge him, and eventually he lost his life in a duel, the particulars of which, however, will be given in the next chapter.

We may at the same time here remark that the method of holding a pistol so that a man's right arm should protect his head or his body, or both, was quite an art in the duelling days—one, at the same time, which but few succeeded in mastering thoroughly. Fighting Fitzgerald, from all accounts, did master it, and to do it he reduced his height five or six inches. His plan was to bend his head over his body until the upper portion of him resembled a bow. His right hand and arm were held in front of his head in such a manner that a ball would have to pass all up his arm before it touched a vulnerable part.

CHAPTER V.

Obstacles in the way of reform when old customs or abuses are dealt with—Remarks of the Duc de Sully on duelling—Meeting between the Hon. Colonel Cosmo Gordon and Lieut.-Colonel Thomas—Small charges in the pistols at first—At the third fire Colonel Thomas mortally wounded—The feats of the Cannon-king a century ago—Seconds take a leaf out of his book—Harmless duel between Sir James Lowther and Bolton—Duel between Lieut. Munro and Mr. Green—Five shots apiece fired at six yards' distance—The last fire both wounded, Mr. Green fatally—Lord Macartney and Major-General Stewart's duel—The chivalrous feeling displayed by both gentlemen—Lord Macartney wounded—The cause of the dispute between the Duke of York and Colonel Lennox—His Royal Highness refuses to give an explanation—Colonel Lennox's difficulty—The duel on Wimbledon Common—The curl splitting doubtful—Colonel Lennox's subsequent duel with Mr. Swift—He afterwards becomes Duke of Richmond and Viceroy of Ireland—His popularity and convivial powers—The drinking duel between the Viceroy and the curate of A—Defeat of the curate.

IN the present day, an officer in the British army can form but a faint conception of what many of his predecessors had to undergo in even the one

matter, that of defending his honour. Though often quite innocent either of offence or of the wish to give offence, yet circumstances left him frequently in a position from which he could only retire on two conditions—namely, infamy, on the one hand, and its consequent ostracism from civilized society; and, on the other, the opportunity of being sent out of the world at the discretion of any person who, being a better shot, chose to insult him.

There have, fortunately, always been men able to place themselves above the influences or usages of society when these usages have been in the wrong direction; and even in the palmiest days of duelling, officers were found courageous enough to condemn its practice. Foremost of these, in by-gone times, was the Duc de Sully, a man whose courage was only surpassed by his justice, and whose honesty and patriotism raised France from bankruptcy to wealth, from anarchy to tranquillity; and this is what he says upon the subject of duelling:—

“I shall conclude the memoirs of the present year with an article which I am already certain will have the approbation of all just and sensible persons, and for which I am also as secure of their acknowledgments. In all the principal cities of

the kingdom, especially those which have arsenals and academies, there are also schools for the young nobility, in which are all kinds of sports and exercises, as well as military, those designed to form a graceful carriage and give strength and activity to the limbs; and these exercises are nowhere more carefully cultivated than at Paris, where the spacious courts of the arsenal, destined to this use, are full almost every hour in the day.” He then proceeds to describe how he liked to see the young officers so employed, and how he gave his countenance personally to these exercises, and how, on one occasion, he was just in time to prevent a duel between two hot-headed youths, and took occasion to lecture all present upon the folly of such deadly games in the following words: “It is,” said I to them, “in fields of war, and in actions which have the service of our country in view, that courage is permitted to be shown; that which arms us against our friends, or countrymen, in contempt of all laws, as well divine as human, is but a brutal fierceness, madness, and real pusillanimity.” “Duels,” the Duc de Sully continues, “it is true, are of long standing in France, and indeed in Europe, but in that part only that has been overwhelmed by barbarians, from whose time this hateful custom takes its date, and appears, there-

fore, to be derived from them; and if histories of times more remote, such as that of the Emperor Otho the First, and that of the divorce of Lotharia, give some instances of single combat, they may be opposed by prohibitions of equal antiquity issued out by the power of the Church, as that of the Council of Valentia, in 855, or by temporal authority. We have in France a very ancient edict, which forbids them in all civil causes, and limits them to five cases—high treason, house-burning, nightly theft, &c. Saint Louis afterwards took away all restriction, and when Philip IV. seemed to restore them, 1303, in charges of State and other crimes, to which he had reduced them, he was incited only by a motive at once deserving praise and censure—the hope of abolishing insensibly this custom of bloodshed, which had gathered strength in his time, by comparing it to these rare cases set down in a positive law. To make this more evident, he forbade all manner of persons to allow them by receiving what was called pledges of battle, and declared that right reserved to himself alone."

The Duc de Sully's remarks extend over many more pages, too long, in fact, to be quoted here; but of the value of such testimony as his there can, we think, be but little doubt. It would be

difficult, and scarcely requisite, to give a detailed account of all army duels which have happened in the past, so we will content ourselves, and we hope our readers will be content, by our mentioning the more important of those which have taken place, of more than usual interest.

On the evening of the 3rd of September, 1783, the Hon. Colonel Cosmo Gordon and Lieutenant-Colonel Thomas had a dispute, to settle which they met the following morning, in the Ring, in Hyde Park, when it was agreed upon by their seconds that they should advance towards each other and fire as they pleased. Placed about thirty yards from one another, they decreased that distance to nearly three-fourths, when, both presenting their pistols at the same time, only one (Colonel Gordon's) went off. This gave Colonel Thomas an opportunity which he took advantage of, and, having adjusted his pistol, fired at his opponent, who received "a severe contusion on the thigh." Their second pistols were fired without effect, and their friends called to reload them; and having been again placed thirty yards apart, they advanced to nearly the same distance as before, and fired, when Lieutenant-Colonel Thomas fell, having received a ball in his body, which, despite the immediate attention of the

surgeon accompanying the party, proved mortal. Here is a case in which we should imagine the seconds had done their best to prevent an accident. In the first fire one receives a contusion, which plainly means that there had not been enough powder put behind the bullets to hurt.

About the time this duel took place, a man used to collect great numbers of people to see him, in the "music halls" of that day, catch a cannon-shot as it left the mouth of the gun. He had no difficulty in doing so, because, knowing the exact weight of the heavy shot, and therefore the quantity of gunpowder requisite to carry it a few yards from the muzzle of the gun, the feat became only a question of careful loading. He knew the spot on which to stand. He knew, also, that the powder, though small in quantity, would, on reaching the open air, cause a loud report, while the cannon-ball, which had barely reached his hands, would feel warm and smell of powder.¹ Duelling became in the same manner a matter of calculation. Seconds in the duels of the period, who were not so bloodthirsty as their principals might be, therefore

¹ This trick has lately been re-introduced to the notice of the British public, but resulted in the death of a man at Leeds, who tried to catch the ball. The Cannon-king narrowly escaped being convicted of manslaughter.



fell into the ways of either putting small charges of powder into the duelling pistols, or leaving out the bullets altogether, and for so doing they deserve the highest praise. In the case we have just mentioned three shots were fired, yet only one took effect at a distance each time of some eight paces apart. Now, let any one try to hit a much smaller object than a man with a common pistol twenty-four feet off, and see if he could miss it once, leave alone three times? The world, in fact, got tired of duelling long before the world would allow that it had done so; and so we find about this period that the seconds began to take the law in their own hands, in order to put a stop to such a reckless loss of life. We therefore begin to hear of duels like that between Sir James Lowther and Bolton, where as many as three shots were exchanged without injury being sustained to either party, although the principals sometimes, as in the following case, would insist upon continuing until one fell. On the morning of the 17th of October, 1783, Mr. Monro, of the 16th Regiment of Dragoons, and Mr. Green, with their seconds, met in a field near Battersea Bridge for the purpose of settling a dispute which arose a few evenings before. They took their ground, as we are told in the "Annual Register" for 1783, at the distance



of about six yards, and, after having fired three pistols, the last of which had struck Mr. Green on the side, that gentleman was asked if he was satisfied. To this he replied, "Not except Mr. Monro made him a public apology." "That," Mr. Monro said, "*now*, I will not do;" to which Mr. Green replied, "Then one of us must fall." They again took their ground, and fired each two pistols more. One ball entered Mr. Monro's knee, and Mr. Green received a shot which afterwards proved fatal, the ball having entered a little above the groin.

Here again, at a shorter distance, five shots apiece are requisite before a severe wound is given, which we think would not have been so long delayed but for the humanity and the good sense of the seconds. The custom of duelling was, in fact, only tolerated because then, as now, Mrs. Grundy was a power in the land, and men, rather than run the risk of being sent to Coventry, would "go out." In France we now read of a similar state of things, but we suppose no resolute action will be taken there by the authorities to put a stop to duelling until some peculiarly lamentable affair, like that of Lieutenant Munro's, and his brother-in-law, Colonel Fawcett's, happens. Then the law, even in France, will possibly

have little difficulty in stamping duelling out of existence there, as it has been stamped out here in England.

A duel fought between Lord Macartney and Major-General Stewart, on the 8th of June, 1786, gives an instance of so much chivalric feeling, and at the same time so much determination on the part of the latter gentleman, that while recording the facts which tend so much to General Stewart's credit, we are sorry at having been unable to discover the cause of his obdurate hostility. From the published accounts, it seems Lord Macartney and Major-General Stewart met, with their respective seconds, Colonel W. Fullarton and Colonel A. Gordon, on the 8th of June, 1786, to settle the matter in dispute between them. The place and time of meeting having been previously fixed, the parties arrived about half-past four in the morning, and took their ground at the distance of twelve short paces, measured off by their seconds, who delivered to each one pistol, keeping possession of the remaining arms.

General Stewart suggested that as Lord Macartney was short-sighted, his Lordship, at the distance they stood apart, might not be able to see him; when Lord Macartney replied, he "could see him perfectly well." On this, the seconds

retired to one side, and as the parties were about to level their weapons at each other, General Stewart noticed Lord Macartney's pistol was not cocked, and at once called his Lordship's attention to the fact. His Lordship having thanked him, pulled back the hammer, and when they had both levelled, General Stewart called out, "I am ready!" to which Lord Macartney replied, "I am likewise ready!" when they both fired within an instant or so of each other.

The seconds observing Lord Macartney was wounded, stepped up to him, and declared the matter must now conclude; on which General Stewart said, "This is no satisfaction," and inquired if his Lordship was not able to fire another pistol; to which invitation his Lordship answered, "He would try with pleasure," urging Colonel Fullarton to allow him to proceed. The seconds, however, declared this to be impossible, and they would on no account allow it. General Stewart then said, "I must defer it till another occasion." On which his Lordship answered, "If that be the case we had better proceed now. I am here in consequence of a message from General Stewart, who called upon me to give him satisfaction, in my private capacity, for offence taken at my public conduct, and to evince that personal safety is no

consideration with me, I have nothing personal ; the General may proceed as he thinks fit." General Stewart replied, " It was his Lordship's personal conduct to him which he resented."

The seconds then put an end to all further conversation between the parties ; and as Lord Macartney was now obliged to rest against a tree, the surgeons were called upon. Meanwhile Colonel Gordon having assisted his Lordship to take off his coat, Lord Macartney was left in care of Doctors Hunter and Home, and having had his wound dressed, was put into an easy carriage and conveyed home ; and the matter may be said to have here ended.

Before entering upon the most wonderful duel of the times which we essay to record, we think it necessary to state that whatever occurred was entirely without the knowledge of the principals. The duel between Colonel Lennox and the Duke of York has ever since been considered a very extraordinary affair, one upon which no light has been thrown until the " Greville Memoirs " were published some ten years ago. From these we gather that the Duke of York, in company with the Prince of Wales, was at Vauxhall one evening, when they were insulted by two gentlemen and a lady, wearing masks, as it was the custom often to do

then. The lady was particularly offensive, as also one of the gentlemen, and the Duke of York, thinking him to be Colonel Lennox of his own regiment (the Coldstream Guards), called upon him (Colonel Lennox) by name to unmask, saying if he was wrong in his supposition, he (the Duke) would willingly apologize. This the masked gentleman refused to do, and thus the insulted and the insulters parted.

The outcome of this misunderstanding, or *contre-temps*, was that when, the following day, his Royal Highness, as Colonel of the Coldstream Guards, was inspecting the regiment, he stated that his Lieutenant-Colonel (Lennox) "had heard words spoken to him at Daubigny's Club, to which no gentleman ought to have submitted." This observation being repeated to Colonel Lennox, he, not having had an opportunity before of seeing his commanding-officer, and possibly smarting under a false accusation, took the first opportunity, though on parade, to inquire what were the words he submitted to hear, and by whom were they spoken? To this request his Royal Highness very properly gave no reply, beyond ordering Colonel Lennox back to his post, but when the parade was over, he, sending for the colonel, intimated to him, in the presence of several officers,

that he desired no protection from his rank as a Prince, or his position as a commanding-officer, for, when not on duty, he wore a *brown coat*, and was ready, as a private gentleman, to give the colonel any satisfaction he might wish to receive.

Colonel Lennox was now in a “cleft-stick,” so to speak. If he challenged the Duke, and the Duke, as his Royal Highness implied, was willing to accept the challenge, and he, Colonel Lennox, happened to kill or maim the Prince, he would most assuredly have been put upon his trial for the greatest offence it was possible the Crown lawyers could bring against him. On the other hand, if he took no notice of what the Duke had taken so much care to publicly state, he had the chance of being stigmatized as “a coward.” He took a middle course, by writing to *every* member of Daubigny’s Club a circular letter, requesting to know whether they had ever known him to submit to words being addressed to him which a gentleman should have demanded satisfaction for? their silence to be considered as a declaration that no such words could be recollected. This eliciting no response, Colonel Lennox, at the expiration of the term he had given for an answer to his circular letter, wrote to the Duke of York that, not being able to recollect any occasion on which words had

been spoken to him at Daubigny's to which a gentleman ought not to submit, he had taken the step which to him appeared most likely to acquire the information, by asking his Royal Highness to mention the words and to give the name of his informant. To this request his Royal Highness refused to accede, and according to the manners of the time it was afterwards arranged that the Duke should grant the Colonel the satisfaction which one gentleman, thinking he was insulted, could demand from another. The meeting took place on Wimbledon Common, Lord Rawdon being the Duke's second, and the Earl of Winchelsea acting as friend to Colonel Lennox. The principals were not placed too near each other, and when the word "to fire" was given, only Colonel Lennox's pistol went off, when—as it is said—the most wonderful thing ever known in duelling occurred, a curl of his Royal Highness's hair had been carried away by his adversary's bullet. We all know now that such a thing as the curl to be shot away could not occur, and we believe there was really no bullet in Colonel Lennox's pistol, or, for that matter, in the Duke of York's, who did not fire. We do not for a moment wish it to be thought that either the Duke or his Colonel knew this to be the case, but as it would have been a

most serious matter for all concerned had anything happened to his Royal Highness, we can easily imagine that, as unloaded pistols had come into fashion, it was not likely that Lord Rawdon or Lord Winchelsea would be at all behind the age when so momentous a question as their own liberty was concerned. As his Royal Highness did not return his adversary's fire, Colonel Lennox was obliged to say he was satisfied; the Duke, notwithstanding the "curl shaking," offering to give the Colonel another "chance" if he wished, which upon our supposition would have been a safe matter. Colonel Lennox, it should be remembered, was a cool hand, and one of the best shots in the army; and knowing all this, the seconds took care the Duke should not be hurt.

A few days later Colonel Lennox requested the Duke, as Colonel of the Coldstreams, to allow a court of inquiry, composed of all the officers of the corps, to assemble and give their collected opinion upon his conduct. This reasonable request was at once acceded to, and the finding, we think, was very much in Colonel Lennox's favour; for had the verdict found him otherwise, it would have censured his Royal Highness much more than it did. The resolution passed was as follows:

"It is the opinion of the Coldstream Regiment

that subsequent to the 15th of May, 1783, the day of the meeting at the Orderly-Room, Lieutenant-Colonel Lennox has behaved with courage, but, from the peculiar difficulties of his situation, *without judgment.*"

There can be little doubt, now, but the whole affair arose through the Vauxhall meeting, and that this was caused through some ill-feeling which existed between Lady Charlotte Lennox and the Prince Regent. Her relatives, the Duke of Grafton and Colonel Lennox, naturally took her part, as the Duke of York took his brother's part, and, as we have endeavoured to show, what might, but for the wisdom of the seconds, have turned out a tragedy, has become one of the comedies of history. Not quite, though, because a Mr. Swift, having in a pamphlet reflected on Colonel Lennox's character regarding the duel, the Colonel challenged Mr. Swift, and when the two met in a field near the Uxbridge Road, and the seconds were not considerate enough in the matter of loading, the Colonel's "ball took effect in the body of Mr. Swift, whose pistol, on his receiving the wound, went off without effect."

Colonel Lennox subsequently became Duke of Richmond, and was after that one of the most popular viceroys the Irish ever had. He held

office from 1807 to 1813, and by his convivial habits, and drinking powers, stood in the front rank of the six-bottle men of his day. Like one of his predecessors (the Duke of Rutland), he was very partial to making *incognito* visits, and many adventures, as may be expected, resulted from such trips, and it will not be far wrong to assert that in one respect the head of the Lennox family successfully rivalled the chief of the Manners's, celebrated as he was for his imbibing powers.

Of the Duke of Richmond's abilities in that respect, it is related that he was the only man who *sat out* the orgies so prevalent at the Castle, that is, he saw all his staff and gentlemen guests under the table. It was the custom in those days to get drunk, though apparently the Colonel Lennox who shot away the Duke of York's curl, and the subsequent Irish viceroy, did not get drunk, though he drank deep. Possibly it was this gift which endeared him so much to the inhabitants of Auld Reekie when with his regiment, the 35th (he exchanged from the Guards), in 1786 he was stationed at the fortress of the Modern Athens. His abilities as a six-bottle man gained him great respect in the then existing state of society in Edinburgh.

When Viceroy of Ireland, the following tale is

told of him. Being on a visit to a friend in the west of the Emerald Isle, he felt annoyed that no one could be found to join him in his potations, at least, to sit with him without getting helplessly intoxicated. His host, remembering that a curate, a few miles away, was famed for the quantity of liquor he was able to carry off with impunity, sent for the reverend gentleman, who duly arrived and faced the Duke at table. When each of them had put away five bottles of wine, the curate exclaimed,—

“ This is very slow work, your Grace ; let us have a bumper of brandy.”

Two large glasses were at once filled with cognac, and emptied. A fresh bumper to each, of the same liquor, was then filled, but as the representative of the church took it in his hand, he fell helpless on the floor, leaving King George the Third’s representative master of the field.

The following day the Duke made the curate a dean, and it was said, at the time, had he proved the victor in the drinking duel, the viceroy would have made him a bishop.

CHAPTER VI.

How the Roman Generals, Pulvio and Varenus, settled their difference—Marshal Turenne's reply to his challengers—Turks not duellists—Dr. Johnson's defence of duelling—The method Gustavus Adolphus adopted to put a stop to the practice in the Swedish Army—Fighting Fitzgerald the hero (?) of eighteen affairs of honour—His alleged crimes—Was he quite as black as he is painted—His first encounter—His second, and the effect his wound may have had upon him—Change in his disposition—Mr. Cornelius O'Brien and the fire-eater—His marriage—Mr. Bate of the *Morning Post* and Captain Crofts—The mock Captain Miles and the battering he got from Mr. Bate—More about Captain Crofts—Fighting Fitzgerald's fracas with Captain Seamen—The duel between those two—Captain Fitzgerald's literary ability, as displayed in his letters to the Jockey Club, and in “The Riddle: a Satire”—Doubts about the fairness of his trial—Duel between Colonel Roper and Mr. Purefoy—Trial of the latter for murder, and acquittal.

DUELLING itself, however good it might be in the abstract, never constituted true honour. As we have before remarked, it mostly meant bullying in a diluted form. The man who was a noted shot, or who could pink a fellow-creature with

little chance of the other returning the obligation, was considered a hero, while the victim was looked upon as one of the worst specimens of mankind.

Who should be blamed for such false ideas, we will not in these pages try to answer. The practice of duelling extends so far into the regions of antiquity, as well as of romance, that we will say no more on this point than refer to what we consider was the more patriotic way of settling personal disputes. For instance, Cæsar, in his Commentaries, relates how Pulvio and Varenus, having had a long disagreement as to their respective abilities, the former on the morn of a battle said to the latter, “Why should you remain in doubt, Varenus? What fairer opportunity can you desire for the proof of your valour? Let this, then, be the day to decide our differences.”

It was a worthy challenge, and Pulvio, at once collecting his legions, rushed forward upon the enemy, himself in the van. Varenus followed, also leading his troops, and although Pulvio flung his javelin with effect, was, from the numbers of the enemy, soon all but surrounded, and would have been either captured or killed had not his rival seen his danger. Varenus having first charged and routed the foe, flew personally to the assist-

ance of Pulvio, and having slain some and driven the others away, he turned round to find himself almost a prisoner, the enemy having rallied and returned to the attack, and Varenus, though fighting hard, could not help fancying the day must go against him.

Pulvio, however, had by this time recovered consciousness, and though unaware that Varenus had rescued him, drew his sword, and attacking the enemy valiantly in rear, soon managed to rescue his former antagonist, so far as private hostility went. This was not only the noblest, but the best way of ending a quarrel, and of proving their title to be considered brave men.

This idea was carried out by Turenne, the celebrated French Marshal, who when he was a young officer had two or three challenges sent to him.

These he took no further notice of, beyond informing the challengers that as there was to be a desperate attack made soon upon the enemy's fortifications, he desired their company when the assault was made. Whether they responded or not to the invitation is not recorded. Curiously enough the Turks do not allow duels. At least, if Bosbeginus, the Ambassador of the Emperor Rodolph II., is to be believed. At the latter end

of the sixteenth century a reprimand was given to an officer by a pasha at Constantinople, who had boasted of having sent a challenge. "How durst thou," the pasha said, "challenge thy fellow-servant to fight a duel? Was there no Christian to fight with? Do you not both eat of the Sultan's bread? You must know, whichever of you died, the Sultan would lose a valuable subject." And so on the pasha went, the challenger being eventually sent to prison for having provoked the assault.

"He," says Addison, "who has no other recommendation than bravery, is ill qualified to make an agreeable figure in the world; for he will not know how to employ the talent which sets himself above others without creating or finding for himself enemies."

It would, at the same time, be equally out of the scope of these papers to say who were in the right or who were in the wrong in such cases. All we shall strive to do is to chronicle them, and when doing so we feel that "Fighting Fitzgerald" should not be left out of the catalogue.

Not that we wish to describe his eighteen duels, or even his murders, trial, and death. Neither is it necessary to tell how he was black-balled at Brooks's, for these are all matters of common

history. What we are anxious to do is to tell the but little known history of the man, who being not only well-connected, well-educated, and clever, attained a notoriety as unenviable as can well be imagined. We wish to show him as he was, but what we should like to call attention to particularly is that Captain Fitzgerald, formerly of Her Majesty's 69th Regiment of Foot, was not really responsible for his actions.

We have said before that duels were at one time, to some extent, necessary evils, more especially when a strong man thought he was, by his strength, justified in bullying a weaker one. "As men become in a high degree refined," says Dr. Johnson, "various causes of offence arise which are considered to be of such great importance that life must be staked to atone for them; though in reality they are not so. A body that has received a very fine polish may be easily hurt. Before men arrive at this artificial refinement, if one tells his neighbour he lies, if one gives his neighbour a blow, or his neighbour gives him a blow, that is deemed an affront; and in a state of higher polished society an affront is held to be a serious injury. It must, therefore, be resented, or rather a duel must be fought upon it, as men have agreed to banish from their society one who puts up with

an affront without fighting a duel. Now, it is never unlawful to fight in self-defence; he, then, who fights a duel does not always fight from passion against his antagonist, but out of self-defence, to avert the stigma of the world, and to prevent himself being driven out of society. I could wish there were not that superfluity of refinement; but while such notions prevail, no doubt a man may lawfully fight a duel. Let it be remembered, however, that this justification is applicable only to the person who *receives* an affront. All mankind must condemn the aggressor."

Dr. Johnson has here said about all that could be urged in favour of duelling, and without doubt he fairly represented the feeling of the times in which he lived. Now, however, a different and a better feeling prevails, and we witness a state of harmony among English officers which Dr. Johnson could have formed no idea of in his day.

Although very stringent orders against challenging or carrying a challenge has, as a rule, existed in the British army for many years, yet these orders were at one time far more honoured in their breach than in their observance. And it is, at the same time, a curious fact that though duels have been common enough in the early his-

tories of all civilized countries, yet some of the bravest and most distinguished men in each have done their best to put them down. It was, however, much easier for a sovereign to issue an edict against the practice than to see it carried into effect, and if we except Gustavus Adolphus, no monarch was successful in putting a stop to duelling in his army.

Gustavus had issued a decree forbidding duelling in the Swedish army. Soon after this, two of his general officers quarrelled, and resolved to decide the matter by a reference to arms. Knowing, however, that Gustavus was not a man to be trifled with, they went to the King and asked permission to fight. Gustavus not only granted permission, but said he himself would be present at the encounter. He attended, accompanied by the provost-marshal, and when all was ready, the King told them to begin, and to "fight until one man dies." He at the same time ordered the provost-marshal that the moment one was killed the survivor was to be beheaded, an order which brought the pair of them to their senses, as the King had intended should be the case. No more duelling took place in the Swedish army.

One of the most extraordinary duellists, certainly, was George Robert Fitzgerald, better

known as “ Fighting Fitzgerald.” The eldest son of Mr. Fitzgerald, of Rockfield, near Castlebar, in Ireland, he was nearly connected on his mother’s side (Lady Mary Harvey) with the Earl of Bristol; while by the father’s side he was related to the celebrated Sir Boyle Roach, a gentleman whose blundering propensities in talking did more for his party in Parliament than the witty sayings of others.

Fitzgerald’s name has come down to us overshadowed by great crimes, without taking into account the accusations of cowardice which his covering of chain armour and paper-padded clothes gave rise to. We are, however, inclined to believe he was as much sinned against as sinning, and that being quite insane, he was a man as much deserving of our pity as our blame. Educated first at Eton, and subsequently at Trinity College, Dublin, he appears to have at both of these colleges gained high honours; his knowledge of the classics and other branches of literature being much above the common.

In those days duelling was so common at Trinity College that it was no unfrequent occurrence for an affair of honour of some sort to happen either before, or immediately after, morning prayers. At this period Fitzgerald

was the reverse of the quarrelsome character he afterwards became. In fact, duelling at first seems to have been especially repugnant to him. It is related of him that he actually ran away from the celebrated Buck England, who had attacked Fitzgerald sword in hand, and would have killed him, had not some one caught the Buck just as he got within piercing distance of Fitzgerald's back. It is, at the same time, only right to state that Fitzgerald was unarmed.

Eventually, however, according to the customs of the period, he was compelled to demand satisfaction upon most trivial grounds. A Mr. Swords had offered him some slight in a public assembly, and a meeting took place. At the first fire, part of Fitzgerald's skull was shot off, materially injuring the front part of the brain. It is well known that the front portion of the brain may receive serious injury without any fatal result ensuing, but a blow or hurt at the back of the head is most dangerous. For weeks afterwards Fitzgerald's life was despaired of, but he recovered in so far as bodily health was concerned, but mentally he, we fear, never regained his former state of sanity.

Up to this time, he had been noted for the quiet geniality of his behaviour and dislike to

quarrel, but henceforward he became choleric, cunning, and cowardly, in fact quite the reverse to what he had previously been. Appointed to a commission in the 69th Regiment, he soon became somewhat notorious for his bullying ways, though it was not until some time later his name got to be "a household word" in the duelling world.

A story is told of him that, when quartered in Galway with his regiment, he was attracted by the good looks of a damsel in a tobacconist's shop, and, on the spur of the moment, went in and kissed her against her will. Her screams brought a Mr. Cornelius O'Brien on the scene, who insisted upon Fitzgerald giving *him* satisfaction there and then for the insult which had been offered to his lady-love, and although the former tried all he knew to get out of the scrape, Mr. O'Brien kept him to the point, and would not allow him to leave until he had exchanged shots with him.

Fitzgerald had to fight him in a room without seconds, and having lost the toss for first shot, managed to escape being hit by shouting *boh* just as the other fired. Fitzgerald had O'Brien then at his mercy, and so the affair ended all right; Fitzgerald magnanimously firing in the air.

Captain Fitzgerald, at a very early age, married Miss Conolly, sister to the member for Londonderry and cousin-german to the Duke of Leinster, with whom he received a fortune of ten thousand pounds, his father agreeing to settle upon him a thousand pounds a year, an agreement, however, the father never fulfilled. Soon after his marriage the young couple went abroad, where they remained until the death of Mrs. Fitzgerald, whose end could not have been but accelerated by the insanity of her husband; for his many escapades on the Continent had made him notorious, even in the days we have referred to.

Of these exploits we have no wish to give any details, but will content ourselves with describing his first fracas after his return to England, which may be summarized as follows:—

Mrs. Hartley, the celebrated actress, being at Vauxhall, in company with others, among whom were the Rev. Mr. Bate (editor of the *Morning Post*) and Mr. Coleman, was put out of countenance by the impudent looks of the Hon. Mr. (afterwards Lord) Lyttleton, a Captain Crofts, and others. Mr. Bate, seeing that these gentlemen had purposely placed themselves opposite to Mrs. Hartley, arose and seated himself between her and them, when they, taking offence at this,

got up and abused Mr. Bate. On this, he styled them "a lot of impudent puppies," which brought out an unhandsome reply from Captain Crofts in allusion to Mrs. Hartley.

Mr. Bate, who was famed for his pugilistic science, at once struck the captain, who naturally returned the blow, but soon found that the parson was a straight and a fast hitter. Fitzgerald came up at the time, and seeing his friend was getting the worst of the encounter, at length interposed, suggesting mutual satisfaction could be given and received elsewhere—and this advice being adopted, cards were exchanged.

The following day a challenge was sent to Mr. Bate, who went with his friend, Mr. Dawes, to the Turk's Head Coffee House, Strand, where they met Captain Crofts and Mr. Lyttleton, when the latter demanded Mr. Bate should tender an apology or fight within half an hour. This not being agreed to, an adjournment to Hyde Park was resolved upon, but just as the principals and seconds were leaving the Turk's Head, Captain Fitzgerald broke in and insisted that a Captain Miles should first receive satisfaction from the pugnacious parson.

Now we cannot help thinking that Captain Crofts was really at the bottom of Fitzgerald's

extraordinary conduct at this point of the transaction, for the Captain Miles pushed forward at the last moment was no other than Captain Fitzgerald's private servant who had been prevailed upon to fight Mr. Bate with his fists. This man's name was Stevens, and as he had defeated two or three Irish chairmen, was considered good enough for the work, but in less than fifteen minutes Mr. Bate had given him such a thrashing that he had to be led out of the room, his face being scarcely recognizable.

We have remarked, it is our belief, that Captain Crofts was well aware of the slight, which was meant to be put upon the editor of the *Morning Post*, as it appears the former did not hold a very high reputation, either for bravery or for honour, in his corps, at least if the writer of a letter which appeared in the *Morning Post*, August 16, 1773, is to be believed. According to this authority, who signs himself "One of Burgoynes," the 2nd Light Dragoons, and the regiment Captain Crofts belonged to, it was only a few months previously that Captain Crofts won two or three hundred pounds at cards, from a Mr. F—, of the Temple, and was duly paid his winnings. A day or two later they sat down to play again, when Mr. F— won about sixty pounds, which the

former not only did not pay, but denied owing it when taken to task over the matter at Stewart's Coffee House. Mr. F—— then publicly denounced Captain Crofts as a liar and a scoundrel, and turned him out of the room ; treatment the Captain bore most philosophically, and soon after rejoined his corps at Shrewsbury. The tale, however, had arrived before him ; when he was curtly told by Colonel Burgoyne, "if he did not instantly return to London, and clear up the matter by calling Mr. F—— out, he would have him superseded." He did so, but made it a point that they should be placed a hundred yards apart, and to fire when they got within range. Captain Crofts fired when they were eighty-four yards asunder, and thus paid his debt and regained his honour.

A dispute having taken place a few days afterwards between Captain Scawen, of the Guards, and Fitzgerald relative to the Vauxhall fracas, they went out from the Cocoa Tree to decide the matter with swords, as the former declined to fight with pistols. It, however, being too dark, the meeting was adjourned until next morning, by which time the colonel of Captain Scawen's corps placed him under arrest, and thus prevented the duel. This was followed up by Fitzgerald alleging

Captain Scawen was afraid to meet him, which resulted in the latter offering to fight the other with pistols, and as Fitzgerald now refused to fight but with swords, Scawen knocked him down with a stick he had in his hand. Fitzgerald now drew his sword and made a pass at the Captain, who parried it, and, presenting a pistol, declared if the other offered to touch him again he would blow Fitzgerald's brains out. A superior officer present put Captain Scawen again under arrest, and made a report afterwards of the whole affair to the King to decide upon.

This quarrel did not end here, as on Wednesday, September the 1st, Captains Scawen and Fitzgerald met between Lille and Tournai, and after exchanging shots, shook hands, and parted friends. The reputation of a man, however, whose valour was founded upon having fought about a score of duels, and who had lost the roof of his skull at the first one he was engaged in, should have been sufficient to have deterred most men from coming in contact with him.

His various letters, as well as his "Appeal to the Jockey Club," display a certain amount of genius; while a poem he wrote, entitled "A Riddle," gives unmistakable proofs of practical ability. From the latter, which consists of several

verses, we give the following extracts, and with them conclude our notice of Fighting Fitzgerald.

“The Riddle” was a satire upon the then judicial bench of Ireland, the personages referred to in it being Hewett, Lord Lifford (Chancery); Scot, Lord Earlsfoot (King’s Bench); Hugh Carlton (Common Pleas); Barry Yelverton (Exchequer); and Fitzgibbon (Attorney-General). He also lashes Dean Bailey, whom he accuses of appropriating to his own use the money he received for charitable purposes.

“No charities by *me* are sunk,
Nor gormandized at dinners,
Nor spent to make o’erseers drunk,
Or pocketed by sinners.

“Where I preside goes every doit
To feed the hungry daily,
To clothe the naked ; and that’s right,
Pray is it not, Dear Bailey ?

“Yes, *so* you preach, *so* you collect,
So pray, and make a moan on’t ;
But farther not in this respect,
Now sayeth this deponent.”

Of Scot, Lord Earlsfoot (who was mixed up in the doubtful Champartie case of *Coke v. Coke*, wherein it is alleged the judge was actually supplying funds to one side), Fitzgerald wrote:—

“ For I am absolute as Fate
To Plaintiff and Defendant,
And make them both, soon or late
Submit, you may depend on’t.

“ To me is Annaly proclaimed,
A friend right true and hearty,
Scot in my absence, was nick-named,
(And justly too) *Champartie.*”

“ Coke *versus* Coke, for years shall stand,
A mark of his uncleanness,
And sprang from dirt, his name shall brand
With native dirt and meanness.”

As Scot and Fitzgibbon were the two judges that tried and sentenced Fitzgerald to death, it is quite possible he did not receive full justice at their hands. The trial, from all accounts, was a very hurried one, and no time was given for an appeal for mercy.

At the Maidstone Assizes, August 14th, 1794, Mr. Thomas Purefoy was indicted for the wilful murder of Colonel Roper in a duel, which took place on December 21st, 1788. The cause of the greater part of the delay which had occurred was due to Mr. Purefoy, who had been out of the

¹ A bargain between a plaintiff and another person who has no interest in the subject of dispute, to divide the property sued for between them, if they prevail at law, in consideration of the other person carrying on the suit at his own expense.

kingdom for some years, but he had been nine months in prison before he was put upon his trial.

The facts of the case appear to have been as follows:—In 1787 Colonel (then Major) Roper was Commander-in-Chief of the Island of St. Vincent, and Mr. Purefoy was ensign in the 66th Regiment. The latter having obtained leave of absence to England, gave, according to custom, an entertainment to his brother subs. before leaving, when some of the young officers in the height of their festivity perpetrated some practical jokes upon one or two other officers, which, causing a complaint to be made to Major Roper, he, as a punishment, cancelled Mr. Purefoy's leave.

Mr. Purefoy seems to have remonstrated in such a manner about his leave being stopped that Major Roper placed him under arrest, and had him tried by court-martial for insubordinate conduct, and as he was the officer that not only ordered the court to assemble, but had the confirming and approving of the sentence, it may be easily imagined that Mr. Purefoy was cashiered. This was the cause of the quarrel which had afterwards so fatal a termination.

At the trial, which took place nearly seven years afterwards, the evidence, particularly that

of General Stanwix, Colonel Roper's second, was extremely favourable to the prisoner. Purefoy, when called upon for his defence, declared he had entertained no malice against the deceased. He had been led by a call of honour, or, more properly speaking, driven by the tyranny of custom, to an act which in early life had embittered his existence, but without which he had been taught to believe that he should lose all the respect of his equals as well as of his superiors. The last challenge had come from Colonel Roper, and as some expiation of his offence, he might mention he had already suffered six years of exile and nine months of close confinement. The latter part of his address was read by his advocate, Mr. Erskine, from a written paper, Mr. Purefoy's feelings being such as to overpower his utterance.

The prisoner called nine gentlemen to testify to his character, most of whom had known him from early life, and they all spoke to the mildness of his behaviour, and general aversion to quarrel as being characteristic of the man. After the Judge (Mr. Baron Hotham) had summed up, the jury, without leaving the box, returned a verdict of "Not Guilty."

CHAPTER VII.

Letters in the *Morning Post* about a lady—Captain Stoney calls upon Mr. Bate to give up the name of the writer—Duel between these two gentlemen in a room with swords: door locked.—Both wounded—Disagreements between Colonels Quentin and Palmer, both of the 10th Hussars—The Round Robin, and letter to the Prince Regent—The court-martial and acquittal of Colonel Quentin—The Elegant Extracts—Colonel Quentin challenges Colonel Palmer in Paris—The Duel, Colonel Palmer fires in the air—Fatal meeting between Lieutenant Bailey and Mr. O'Callaghan for a frivolous reason—Trial of the latter for murder—Found guilty of the lesser offence—The ill-feeling of French officers during the occupation of France by the allies—Lieutenant Gordon one victim—General Sir James Simpson's treatment of a French bully—Duel between the Marquis of Londonderry and Mr. Battier, formerly of the 10th Hussars—General order from the Horse Guards censuring the Marquis for "going out" with an inferior officer—The Duke of Wellington's opinion in this matter not followed—His letter to the Marquis of Londonderry on the subject.

THE Reverend Mr. Bate was not, as we have shown, exactly the kind of man to smite upon the right cheek with the expectation that he would

not attempt to retaliate, but meekly turn his left cheek towards the smiter. In fact, whether it was with fists or with barking-irons, he was on most occasions quite willing to oblige any gentleman who was at all pugnaciously inclined. One more instance, however, will be enough to show the stuff the fighting parson-editor was made of.¹

As already mentioned, he was editor and proprietor of the *Morning Post*, in which paper there appeared, early in the year 1777, several letters reflecting upon the character of a lady of position. Captain Stoney, a celebrated Buck of that day, was an admirer of the lady in question, and, on her part, requested Mr. Bate to give up the name of the writer of the letters referred to; and on the refusal of the latter to do so, the former thought fit to challenge him, with an understanding that there were to be no seconds. A meeting was therefore arranged between the

¹ French journalists have of late become frightfully pugilistic, and every one on the Paris press seems ready at a moment's notice to fight any other ink-slinger on the slightest provocation. On the battles of press-men I may mention that "Colburn's United Service Magazine" contains a humorous record of a merry mill, in days of yore, in which the Rev. Mr. Bate, "fighting editor of the *Morning Post*, was one of the combatants, and when that great and good man proved himself no unworthy member of the Church Militant."—*Society*, June 18, 1880.

representatives of the Church and the Army, or, as we might put it, "gown and sword." They met in a room, and, locking the door, took up their positions. Having discharged their pistols without effect, they threw these on the ground, and, drawing their swords, attacked each other most resolutely, the result being that Mr. Bate was wounded in the thigh and Captain Stoney in the arm and breast. By this time people were hammering at the door of the room trying to open it, but the swordsmen were too intent on their work to attend, and the conclusion would have been fatal to one or both but for an incident which occurred in the combat. This was owing to the bending of the blade of Mr. Bate's sword, which was caused by the point meeting the captain's breast-bone. On Mr. Bate apprising his opponent of this, Captain Stoney called upon him to straighten it; and in the interim, while Mr. Bate had his sword under his foot for that purpose, the door was broken open; otherwise, as remarked, the death of one or both of the parties might have ensued. On the Saturday following Captain Stoney married the lady whom he had thus defended at the hazard of his life.

A very important duel took place in 1815 from circumstances which had arisen through the pro-

ceedings of a court-martial, and as those circumstances are now as much forgotten as the duel they led to, and were more remarkable than the duel, we may as well give an outline of them. The two chiefs of the 10th Regiment of Hussars, that is Colonel Quentin and Lieutenant-Colonel Palmer, had long been at variance, and apparently the bulk of the officers of the regiment were upon the side of the latter. The grievance, whatever it might be, evidently was of no recent date, and possibly might have arisen from Colonel Quentin, a foreigner and favourite of the Prince Regent, being placed in command of the 10th.

After the regiment arrived in England from France, in 1814, this general dislike took form in the shape of the celebrated "Round Robin," which was a letter to Colonel Palmer, charging Colonel Quentin with cowardliness and general incompetency to command, by twenty-four officers of the regiment. This, as above stated, was sent to Colonel Palmer, with a request that he should forward a letter enclosed by them to the Prince Regent, the head colonel of the 10th. The reason of it being called a "Round Robin" was that the names of the signatories were written in a circle, so that no person in particular could be fixed upon as having headed the list.

The following is a copy of the letter forwarded to Colonel Palmer :—

“ Brighton Barracks, April 9, 1814.

“ SIR,—We, the officers of the 10th Royal Hussars, have deemed it necessary to address his Royal Highness the Prince Regent on the subject of the enclosed, and we request you, as senior field-officer of the regiment, will take a favourable opportunity of submitting it for the consideration of his Royal Highness. You will, we are confident, give his Royal Highness any further information he may require. We also beg of you to add your signature to the letter, if your feelings on the subject are in unison with ours, as we conceive you to be equally interested with us all in the character and reputation of the regiment.

“ We have the honour to be,” &c.

We are not in possession of all the facts which led up to these twenty-four British officers making a dead set against one, and he their colonel. Now-a-days such a thing would not be tolerated for an instant, even had they been able to prove the allegations they made against their commanding officer; and, to say the least, we cannot help thinking that the act they committed in thus secretly attacking Colonel Quentin in a body was one of far greater cowardice than any

they had accused that officer of. The four charges were very vague indeed. The first alleged that Colonel Quentin had not taken proper precautions to protect his men when the regiment was foraging on the 10th January, 1814. The second asserted that he did not, on the 28th February, 1814, properly support his advanced squadrons when they were engaged with the enemy. The third, in words, resembled the first, if “Toulouse” was substituted for Macoy; and the fourth was for general neglect of duty from the time he resumed command of the regiment, a few months before.

All the charges were trumpery in the extreme, and Colonel Quentin asked for a court-martial, which being granted, one assembled at the Horse Guards on the 17th October, 1814, General Vyse being president, and thirteen lieutenant- and major-generals members. Colonel Quentin was found guilty of a part of the first charge, acquitted of the second and third charges, and the fourth the Court did not feel themselves justified in dealing with. Virtually, Colonel Quentin should have been acquitted upon all the counts of the indictment. But his accusers belonged to the highest families in the land, and their interests everywhere were powerful. Among them was the then Marquis of Worcester, the two Fitzclarences (grandsons of

the Duke of Clarence), a son of the then Lord Fitzhardinge, one of the Somersets, Lord A. W. Hill—in fact, all the conspirators were highly connected. Had they not been so, they would all have been cashiered; as it was, the regiment was broken up so far as the officers were concerned, the “Round Robiners” being distributed throughout the different regiments of cavalry in the service, others, of course, replacing them from different corps; and from this the 10th Hussars acquired the name then of “The Elegant Extracts.”

After the finding of the court-martial and the remarks of the Prince Regent had been read, a duel between Colonel Quentin and Colonel Palmer was daily looked for, and a report of an intended meeting spread about the clubs. This, however, for good reasons, was contradicted; but early in January Colonel Quentin embarked at Brighton for France, attended by his brother-in-law, Mr. Lawrell, as his second, for the purpose of calling out Colonel Palmer, who was then supposed to be in Paris.

Colonel Palmer was, however, at Bordeaux when Colonel Quentin and his second arrived in the French capital; and, as in those days postal communication was tardy and uncertain, while

telegraphic communication was still in the womb of time, they had to await Colonel Palmer's return patiently. He returned to Paris on Thursday, the 2nd of February, from Bordeaux, where he had been on private business, and hearing as soon as he arrived that Mr. Lawrell, the brother-in-law of Colonel Quentin, had several times called at his hotel to inquire for him, he made known to that gentleman his being in town. Accordingly, he was waited upon by Mr. Lawrell with a letter from Colonel Quentin, and, notwithstanding he found on his table letters from the most distinguished characters in England—Earl St. Vincent and others—dissuading him from accepting a challenge on the score of the public duty which he had so honourably fulfilled, he instantly accepted the invitation contained in the letter, of which the following is a copy:—

“Paris, January 3, 1815.

“SIR,—The manner in which you have reflected on my character, not only during the proceedings at the court-martial, but since also, has been such as to make it impossible but that you must have intentionally meant to give me cause to seek satisfaction at your hands, and have expected such a result. If I am right in so judging, I must on my part assure you that it has ever been

my determination not to disappoint your expectations. Aware of your avowed intention to proceed to France, and unwilling (more especially in my peculiar situation) to transgress the laws, both civil and military, of the country in which I have found protection, I anxiously awaited the period of your departure. I have followed you to this country, and I now call upon you as a soldier, a man of honour, and a gentleman, either to disavow the gross insinuations you have given to the world as to my want of personal courage, or by meeting me give me an opportunity of proving how false they have been.

“ I am, your humble servant,
“ G. QUENTIN.”

The parties met the next day (Friday, 3rd) outside of the barriers. Colonel Quentin was attended by Mr. Lawrell as his second, and Lieut.-Colonel Palmer by Mr. Thomas Thomson, M.P. for Midhurst. It was settled by the seconds that they should fire at twelve paces, and the challenger, thinking himself aggrieved, fired first. This did not take effect; Colonel Palmer then showed that he was influenced by no personal motive, by immediately firing in the air. Mr. Lawrell and Colonel Quentin having thereupon,

in answer to an inquiry from Mr. Thompson, declared themselves perfectly satisfied, the affair terminated, and the parties returned to Paris.

The Duke de Guiche, late Captain de Grammont of the 10th Hussars, who, it was known, participated very strongly in the general sentiments of the officers of that corps, touching the matters that furnished the grounds of the Court-Martial, although his engagements at the French Court did not permit of his attendance as a witness, offered, it is said, his services to Colonel Palmer to be his second. Colonel Palmer, however, knowing the King of France wished that young nobleman to take no part in the affair, declined the offer, and chose Mr. Thompson. The Duke de Guiche, however, went to the ground in his carriage, accompanied by one of the most eminent surgeons in France, and was present at the duel. Mr. Lawrell had of course secured the services of another French surgeon for Colonel Quentin.

On Monday, January 12th, 1818, a fatal duel took place in a field near Primrose Hill, which arose from a misunderstanding of two principals who were to have met and decided a quarrel a day or two previously. It appears that two gentlemen had a dispute at a coffee-house on the 10th of January, and having agreed to settle the

matter in the legitimate style of the period, selected Lieutenant Bailey, of the 58th Regiment of Foot, and Mr. Theodore O'Callaghan for their seconds. By some misunderstanding as to the locality of the place of meeting, the respective seconds immediately posted the opposite principals as cowards, and after they had performed this necessary part of their duty satisfactorily, happened to meet at an hotel. Without attempting to inquire the reason of the non-attendance of their principals, each charged the other with purposely having evaded the meeting, and a challenge ensued. They had now to look for seconds for themselves, not at all a difficult matter, however, in the year of grace 1818, Mr. Theodore O'Callaghan having for his friend a Mr. Charles Newbolt; while Mr. Thomas Joseph Phealan attended upon Lieutenant Bailey.

In those days Chalk Farm was the favourite spot in London for duels to take place; and, in accordance with this custom, a field in Ingram's Lane, not far from the "Load of Hay" public-house, was the spot fixed upon, and there the two principals and their seconds met at nine o'clock on the morning of the 12th of January. Mr. Adams, a gentleman who lived close to the field where the duel took place, and who saw them meet and fire the first time, tells how he hurriedly

finished dressing and ran to prevent a second shot, but just as he arrived at the gate of the field and was getting over it, the pistols went off again. He saw Lieutenant Bailey fall, and saw, when he got near enough, the blood running down the wounded man's trousers. He assisted to carry Bailey to his own house, and sent for a surgeon, Mr. Rodd, of Hampstead, who arrived within half an hour's time, but only to say there was no hope, the bullet having entered the right side, passed through the intestines, and all but come out on the opposite side, carrying with it a piece of the cloth of his coat and other garments.

The dying man, who had been laid upon a sofa, sent for his opponent, and, shaking hands with him, declared, "he had behaved most honourably, and that he forgave him," the poor fellow asking O'Callaghan immediately after,—

"Had I wounded you, would you have said as much?"

To which the other answered,—

"Most certainly I would," adding, "I wish I had been wounded instead of you." O'Callaghan appears from the evidence given to have been much affected, and went on to say,—

"You touched me in the first fire we had on one of my legs, by what is called a graze," and

pulling up his trousers, showed that a bullet had passed through both legs of his trousers and one of his boots.

Lieutenant Bailey only lived about two hours and a half after he was shot, but before he died he had some private conversation with his second, Mr. Phealan, whom he requested to write to his father in Limerick the full particulars of the whole affair.

The remaining principal in this melancholy matter and the two seconds were all committed to Newgate, and arraigned on the capital charge before Mr. Justice Park, on the 16th of January. Mr. O'Callaghan, who was much affected at the trial, endeavoured to read a written defence, but was unable to proceed, so his counsel read it for him. In substance it stated that, not being addicted to crime, he had never for a moment anticipated that he should ever have been charged with the dreadful crime of murder. He declared most solemnly that no man living could regret more deeply the calamity which had deprived a brave man and a valuable friend of life. The jury returned a verdict of "manslaughter," and all three were sentenced to three months' imprisonment.

When the Allies occupied Paris the French

officers, at all times superior with the small sword and equal with the pistol to Englishmen, took every opportunity to insult the officers belonging to the army of occupation, and it has been alleged that there was a club of Frenchmen, the members of which had sworn to devote their lives to the killing of one by one of the English army, and Lieutenant Gordon, who was at Cambrai, was one of the victims. It appears that he and an officer belonging to the French Guards were walking on the Cambrai Esplanade on the 31st of March, 1818, when, meeting some other officers, they stopped to enter into conversation with them. At this moment a Frenchman, having the appearance of an officer, passed them several times very closely, making very short turns, and though no sort of provocation had been offered, continued each time he passed to stare one or other in the face in the most insulting manner. No notice, however, was then taken of his conduct.

Having separated from their acquaintances, Lieutenant Gordon and his friend continued their walk arm-in-arm. The Frenchman alluded to passed them again, making use at the same time of the foulest epithets, on which Lieutenant Gordon inquired, in the mildest manner, if such expressions were intended for them. The French

officer's answer was, "You may receive them as you please; if you suppose them meant for you, take them."

Cards were of course exchanged, and a meeting took place the following morning, when Lieutenant Gordon's friend asked the French officer to retract his words. This he refused to do, although he had acknowledged the previous evening to the commissaire de police that he had misconducted himself and promised to apologize. The parties having taken their ground, at the first fire the Frenchman's shot took effect, the ball passing through Mr. Gordon's body, who almost instantly expired.

Inquiries made after the fatal event brought to light that this French officer was not only a practised duellist, but that he had publicly declared in a coffee-house, a few days before, that he meant taking the life of some English officer. He belonged to the Légion du Nord, and was on leave to see his friends in Cambrai, and it was the unfortunate lot of Lieutenant Gordon to be this ruffian's victim.

The readers of Charles Lever's novels will remember in one of them, we think "Charles O'Malley," that he tells of a similar state of affairs. There was a Frenchman who boasted of having

killed a dozen of English officers, and promised to go on in this work. One evening he swaggered as usual into his *café*, and, to his astonishment, actually saw one of those hated "Anglais" occupying his chair; a chair, be it remembered, that no one hitherto had dared to sit upon except himself. Mastering his passion, he undid his sword-belt, and, having placed his sword on one side, began to insult the perfectly inoffensive English officer who sat so unconscious-looking in his (the Frenchman's) chair. He trod upon the English toes, he deprived the Englishman of his candles, he went from one thing on to another without at all being able in the least, apparently, to disturb the other's placidity. At last he snatched the newspaper out of the Englishman's hand, and then the Briton slowly rose up, displaying to the astonished eyes of the Gaul a guardsman some six feet six inches high. The giant, bending across the table, seized hold of the Frenchman's nose with one hand and his chin with the other, and, wrenching his mouth open, spat down his throat. With a howl, the Frenchman, holding his under-jaw with both hands, ran out of the room. His jaw was broken; and neither he nor any of his comrades were seen again at that *café*. We may as well add that the English officer, who

thus made an example of a bully, was the late General Sir James Simpson, who for a time commanded in the Crimea, and who, from the day he joined the service until his death, was the tallest officer in the British army.

A duel, though a bloodless one, that took place in April, 1824, between the Marquis of Londonderry, head colonel of the 10th Hussars, and Mr. Battier, formerly a cornet in the same corps, is worth recording for reasons which will be obvious from what follows. The regiment was in Dublin, and Lord Londonderry, being on a visit there, dined one night with his regiment at mess, when he said something to Mr. Battier that the latter considered an insult. Mr. Battier wrote to his Lordship on the subject, when a long and angry correspondence ensued, his Lordship eventually charging the Cornet with having told an untruth. Mr. Battier first exchanged into the infantry, and then went on half-pay, after which he challenged the Marquis to fight a duel. He at the same time, we understand, wrote a long letter to the newspapers, in which he accused his Lordship of "sheltering himself under his rank."

This resulted in a meeting, the late Lord Hardinge being the Marquis of Londonderry's second, and Colonel Western, Mr. Battier's. They were

placed at a distance of ten paces, Sir Henry Hardinge having given the choice of pistols to Colonel Western. The word was given, but only Lord Londonderry's pistol went off, the bullet passing close to the right of Mr. Battier, his pistol having missed fire. The Marquis at once requested Mr. Battier to have another shot, but this Colonel Western, on the part of his principal, declined, and so the matter terminated so far as pistols were concerned.

The next act in this performance was the issuing of the following General Order from the Horse Guards:—"The Commander-in-Chief having received a report from Lieutenant-General the Marquis of Londonderry, that his Lordship had accepted a challenge to fight a duel with Ensign Battier, late a cornet of the 10th Royal Hussars, upon a point which his Lordship considered to be one of military duty, his Royal Highness has felt it incumbent upon him to submit to the King a transaction at variance with the principles of subordination, and, therefore, of a tendency injurious to the discipline of the army. The King has therefore conveyed to his Royal Highness his Majesty's commands to express his Majesty's concern and displeasure that an officer of Lord Londonderry's high rank and military reputation

should have committed himself in personal collision with an inferior officer by accepting a challenge from any supposed aggression proceeding from the exercise of his authority as colonel of the regiment." The *Gazette* subsequently announced that the name of Mr. Battier was erased from the half-pay list of the army, and four days after that he was horsewhipped by Sir Henry Hardinge, who was then Secretary to the Ordnance.

According to the Wellington Despatches, the Duke thought it was "unnecessary for his Royal Highness to take any notice of it," an opinion with which most people now-a-days will agree. To Lord Bathurst the Duke wrote as follows:— "It would have been impossible to bring Lord Londonderry to trial, excepting for a disorder prejudicial to military discipline, and he would have defended himself by allegations of provocation, want of protection, and threats of being assaulted, &c., &c., the second of which allegations would be proved by Sir Herbert Taylor's letter. The consequences would have been an acquittal, or such slight censure as would have been highly injurious to the service, and the conduct of the Horse Guards would not have stood very high. The Duke of York wanted much to bring him to

trial, and is very angry, and talks of altering the Article of War.”¹

To Lord Londonderry the Duke wrote as follows, under date London, 9th April, 1824:—

“MY DEAR CHARLES,—I have received your letter, and I took an opportunity yesterday of speaking to his Majesty on the subject to which it relates. The King had received your letter, and will write to you. He had not written before, because he could not with propriety deliver an opinion upon the transaction in question, excepting through the Commander-in-Chief.

“The whole case is unfortunate. It is in everybody’s mouth, in all the newspapers, and in the theatres, and the Hussars are very ill-treated. I see that they now want to get them out of Dublin; but I have entreated his Royal Highness to keep them there the full time, although I think it is not impossible they may have to fight a duel or two. But that I consider of no consequence.

“Your mistake is one which has crept into the service lately, and is very general. It is in supposing the mess anything but a private society; and that you, as colonel, or commanding officer of the regiment, had anything to say to it, excepting

¹ Supplementary Despatches, Vol. II., Part I.

to notice anything ungentlemanlike or unmilitary which might occur there. If the mess is only a private society of officers, you might notice an officer resorting to it who may have omitted his duty on account of sickness, but you would not notice one resorting to it who may have omitted his duty because he has leave of absence.

“In truth, Mr. Battier was a member of the mess as long as he was at the quarters of the regiment, and paid part of the expenses of the very dinner given to you, not a member, but a stranger; and unless you make the mess something more than a private society, I don’t see what business you as colonel had to notice his presence there. The moment you consider the mess something more than a private society, which may be very convenient to some, it becomes an authority much more prejudicial to discipline and good order, and much more inconvenient to the commanding officer than many are aware of who have not passed so many years of their lives as I have in the performance of regimental duty. I regret the occurrence of this affair for your sake, as well as for that of the regiment, and of the Hussars in general; but I confess that, if it occasions correct notions of what a mess is, I think a great good will have been gained after the con-

versation on this *nine days' wonder* shall have ceased.

“Pray remember me most kindly to Lady Londonderry.

“WELLINGTON.”

The good sense of the Duke is apparent all through this affair, and his remarks about the probability of the 10th officers having a duel or two in Dublin are quite charming.

CHAPTER VIII.

Lord Winchelsea's censure of the Duke of Wellington—The Duke's letters on the subject—Lord Winchelsea's reply—The duel in Battersea fields, one which was honourable to all concerned—Miss King and Colonel Fitzgerald's elopement—Discovery of the young lady in Kensington—Duel between her brother and Colonel Fitzgerald, described by Major Wood—Neither hit—Short distances not the most deadly in duelling—Further correspondence between Miss King and her seducer—His attempt to carry her off from Mitchelstown—Discovery that he was at Kilworth—Shot by Miss King's father—The Hon. Grantley Berkeley's account of the affair—His remarks about Colonel Fitzgerald's inability to find a second—Observations upon the duties of seconds—Remarks on the manner Colonel Fitzgerald was shot—Was it murder?

FROM what we mentioned in our last chapter on duelling, it will not be a matter for surprise that the Duke of Wellington, even at the time he was Prime Minister, "went out" when he imagined he had been unjustly attacked for his conduct in the management of public business. It appears that, in consequence of the part taken by the Duke in the bringing in of the Catholic Relief Bill, the

Earl of Winchelsea, who was opposed to that measure, addressed a letter on the 14th of March, 1829, to the Secretary of the Committee for establishing the King's College, London, in which he imputed to his Grace disgraceful and almost criminal motives for the part he (Wellington) had taken in the establishment of the College. This letter having been published in the *Standard* and other newspapers, the Duke wrote to Lord Winchelsea to know if the letter had really been written by him, and on the latter acknowledging such was the case, his Grace replied as follows:—

“London, March 19th,

“MY LORD,—I have had the honour of receiving your Lordship's letter of the 18th inst. Your Lordship is certainly the best judge of the mode to be adopted of withdrawing your name from the list of subscribers to the King's College. In doing so, however, it does not appear necessary to impute to me, in no measured terms, disgraceful and criminal motives for my conduct in the part which I took in the establishment of the College. No man has a right, whether in public or in private, by speech, or in writing, or in print, to insult another by attributing to him motives for his conduct, public or private, which disgrace or criminate him. If a gentleman commits such

an act indiscreetly, in the heat of debate or in a moment of party violence, he is always ready to make reparation to him whom he may thus have injured. I am convinced that your Lordship will, upon reflection, be anxious to relieve yourself from the pain of having thus insulted a man who never injured or offended you.

“I have, &c.,

“WELLINGTON.”

This was delivered by Sir Henry Hardinge, to the Earl of Winchelsea, who referred him to Lord Falmouth, the result of which was a good deal of correspondence between the parties on the evening of the 19th, and the following day ; but without having the desired effect of bringing the matter to a peaceable arrangement. At half-past six in the evening of March 20th the Duke wrote as follows to Lord Winchelsea :—

“MY LORD,—Sir Henry Hardinge has communicated to me a memorandum signed by your Lordship, dated 1 p.m., and a note from Lord Falmouth dated 3 p.m. Since the insult, unprovoked on my part, and not denied by your Lordship, I have done everything in my power to induce your Lordship to make me reparation, but in vain. Instead of apologizing for your own conduct, your Lordship has called upon me

to explain mine. The question for me now to decide is this: Is a gentleman, who happens to be the King's Minister, to submit to be insulted by any gentleman who thinks proper to attribute to him disgraceful or criminal motives for his conduct as an individual? I cannot doubt of the decision which I ought to make on this question. Your Lordship is alone responsible for the consequences. I now call upon your Lordship to give me that satisfaction for your conduct which a gentleman has a right to require, and which a gentleman never refuses to give.

“I have, &c.,

“WELLINGTON.”

This appears to have reached Lord Winchelsea at a late hour, for he writes to the Duke from Suffolk Street, at 11 p.m., in the following words:—

“MY LORD,—I have the honour to acknowledge the receipt of your Grace's note. I have already had occasion to communicate to your Grace that, under existing circumstances, I did not feel myself in a situation to comply with what was required of me in regard to my public letter. The satisfaction which your Grace has demanded is, of course, impossible for me to decline.

“I have, &c.,

“WINCHESEA.”

The meeting accordingly took place on the morning of Saturday, March 21st, in Battersea Fields, when, having taken their ground, Lord Winchelsea received his Grace's fire, and then discharged his own pistol in the air. It was said that "throughout the affair Wellington's courage was as keen, yet polished, as his sword, and Lord Winchelsea acted as a gallant and high-minded nobleman." Having given the Duke the usual satisfaction, he had no hesitation in declaring of his own accord his regret at having unadvisedly published an opinion which the Duke thought charged him with disgraceful conduct. Lord Falmouth also wrote to the *Standard* in order to clear up a portion of the apology Lord Winchelsea made, in which he states that, immediately Lord Winchelsea had received his Grace's fire, and had fired in the air, Lord Falmouth was the first to propose satisfactory reparation for Lord Winchelsea's letter to the *Standard*. Lord Falmouth declared on the ground that it never was a question with him whether that publication was wrong, but merely whether Lord Winchelsea was in a situation honourably to subscribe to the terms proposed, after he (Lord Falmouth) was requested to undertake the business. Before the parties took their ground Lord Falmouth de-

livered a sealed letter, which he had received from Lord Winchelsea on Friday night, to Sir Henry Hardinge, who returned it after the affair had been settled. Presumably the contents—had the result proved fatal to Lord Winchelsea—were either an apology, or an acknowledgment that the Duke was not to blame. Few affairs of honour can be compared with this. It was an honour to all parties.

The meeting between Colonel King and Colonel Fitzgerald was one which arose from circumstances fortunately not frequent even in the annals of duelling. In the month of September, 1799, the Hon. Miss King, who lived with her mother, Lady Kingsborough, at Windsor, eloped from there, and as many incidents pointed to her second cousin, Colonel Fitzgerald, being her seducer, suspicion at once fell upon him. It was remembered that his attentions to Miss King, then only sixteen years of age, had been most marked, and it appears he had taken advantage of his relationship to lead the girl astray before the elopement.

After a week had passed without any tidings of the runaway young lady, Colonel Fitzgerald was openly accused by her friends as being the man who had enticed her from her home. This

accusation he indignantly denied, and threatened to call out any man who dared to repeat it. The mother, by the advice of friends, had at last recourse to the newspapers, and after having advertised daily a description of her missing daughter, followed it up by offering a reward of one hundred guineas for her recovery. The offer of the reward had the desired effect, for the daughter of the mistress of the house in Clayton Street, Kensington, where Colonel Fitzgerald had concealed Miss King, put herself in communication with Lady Kingsborough, and gave the requisite information.

Lord Kingsborough was at this time in Ireland, and as soon as he heard what had befallen his daughter, hurried with his son, Colonel King, to London, their first step being to find out Colonel Fitzgerald, in order to call him personally to account for his conduct. This was, however, rather a difficult matter, for the seducer, though not devoid of courage, felt he had done an irreparable wrong, for which no apology, or, on the other hand, display of pluck, could rehabilitate his character, more especially as he had not long been married, when this affair occurred, to a very beautiful lady.

Having found Colonel Fitzgerald, Lord Kings-

borough wrote to his friend, Major Wood, at Ashford, requesting his immediate attendance in town, and as soon as he arrived a meeting was appointed, and a duel took place between the girl's seducer and the girl's brother, of which the following particulars were given by Major Wood to the editor of a paper called the *Conductor*, and dated from Fladong's Hotel, Oxford Street, October 2nd, 1797:—

“ MY DEAR FRIEND,—I shall without preface enter at once into the affair which I mentioned to you was to take place this morning, and nothing extenuate, nor set down aught in malice.

“ Agreeably to an arranged plan, I accompanied Colonel King to a spot near the Magazine in the Park, Colonel Fitzgerald we met at Grosvenor Gate, unaccompanied by a friend, which, by the way, he told me yesterday he feared he should not be able to provide, in consequence of the odium which was thrown upon his character, at the same time observing, ‘That he was so sensible of my honour that he was perfectly satisfied to meet Colonel King unattended by a friend.’ I decidedly refused any interference on his part, informing him, ‘That had not nearer relations of the young lady been on the spot, he would have seen me as a principal.’ He replied ‘He would

try to procure a friend,' and withdrew. I addressed him this morning by 'Where is your friend, sir?' Answer (as well as I can recollect), 'I have not been able to procure one; I rest assured you will act fairly.' I then advised him to apply to his surgeon, which he immediately did, who, however, refused appearing as a second, but said he would be in view. As Colonel King was equally desirous to go on with the business, I consented, having prevailed upon a surgeon, who accompanied Dr. Browne, to be present as a witness that all was fairly conducted. It was no common business. I placed them at ten short paces' distance from each other. That distance I thought too far, but I indulged a hope that Colonel Fitzgerald, sensible of the vileness of his conduct, would, after the first fire, have thrown himself upon Colonel King's humanity. His conduct was quite the reverse. In short, they exchanged six shots without effect. King was cool and determined; the other was also determined, and to appearance obstinately bent on blood. After the fourth shot he said something to me about giving him advice as a friend. I told him I was no friend of his, but that I was a friend to humanity; that if, after what had passed, he possessed firmness enough to ac-

knowledge to Colonel King that he was the vilest of human beings, and bear without reply any language from Colonel King, however harsh, the present business then perhaps might come to a period. He consented to acknowledge that he had acted wrongly, but no further. That was not enough. He now attempted to address Colonel King, who prevented him by saying he was a d—d villain, and that he would not listen to anything he had to say. They proceeded. Colonel Fitzgerald's powder and balls were now expended; he desired to have one of King's pistols. To this I would not consent, though pressed to do so by my friend. Here ended this morning's business. We must meet again; it cannot end here. I have only to add that nothing could exceed the firmness and propriety of Colonel King's conduct throughout every stage of this business.—I am, &c., ROBERT WOOD.

“P.S.—On leaving the ground Colonel Fitzgerald agreed to meet Colonel King at the same hour to-morrow. Both the colonels, the same day, were put under arrest.”

We may remark, with respect to the ten short paces Major Wood stepped, that, if mischief was meant by him and his principal, the distance measured was a mistake, for it has been proved that

fifteen long paces is the most deadly distance with the common duelling pistols. The cause of this is owing to the trajectory of these weapons, combined with the fact that the bullets always required a bit of flannel or chamois-leather to make them fit close. The next dangerous distance was twelve feet, while at eight paces (which might be all Major Wood's ten measured) the fire, when a good aim had been taken, was nearly sure to be harmless. This may appear singular, but as it was asserted by the celebrated "Fighting Fitzgerald" (who had given the subject his best attention) and others, combined with the fact of six shots having been exchanged ineffectually, as stated above, we believe it to be substantially correct.

The sequel of this very distressing case was the death (or was it murder?) of Colonel Fitzgerald. On the 12th of December, 1797, intelligence was received in Dublin that Colonel Fitzgerald, who had been guilty of a most shameful and dis-honourable act in the family of the present Earl of Kingston, by seducing a daughter of that noble-man, was dead, having met with his death in the following manner:—

"After the discovery of the criminal inter-course which had taken place in England between

the two parties, and in consequence of which a duel had taken place between the brother of the young lady (who is now Lord Kingsborough¹) and the deceased, Colonel Fitzgerald, she was removed to the residence of her father at Micheldorf, near Kilworth, in Ireland." It further appeared that Colonel Fitzgerald, by the help of Miss King's maid, managed to keep up, even after the duel, a clandestine correspondence with the young lady, at whose solicitations he had come over to Ireland for the purpose, doubtless, of carrying her off again from her father's house. Although he took the precaution of keeping indoors all day, and only going out at night, his presence at Kilworth soon became known and word of his whereabouts sent to Lord Kingsborough, who at once hurried to Mitchelstown, and having ascertained where Colonel Fitzgerald lodged at Kilworth, he went there, and learning the man he was in quest of was upstairs in his room, Lord Kingsborough was soon at the door demanding admittance.

The Colonel, who knew the voice, replied that he was locked in, and could not open the door,

¹ Lord Kingsborough, Miss King's father, was now Earl of Kingston, and Colonel King, his eldest son, consequently Lord Kingsborough.

but if he had anything to say to him he would receive it in writing under the door. Lord Kingsborough's reply to this was to force the door open, and rushing to a case of pistols in the room, took one and desired the Colonel to take the other and defend himself, as he was determined to have satisfaction for the scheme the other had formed against his sister. On both seizing the pistols they grappled with each other and were struggling together when the Earl of Kingston, who had been apprised of his son's departure in search of the Colonel, quickly followed and entered the room, and finding them in a deadly contest, and fearing that his son might lose his life, shot the Colonel.

It was afterwards ascertained that Miss King, by her maid, who was coming to England, had sent a private letter to Colonel Fitzgerald, the contents of which, it was said, "were sufficient to induce the Colonel, at even the risk of his life, to make an effort to rescue the young lady from the ill-treatment of her guards. To do this, however, required money, and of that he had then but little," when he borrowed a sum from his wife under the pretence that he was going into Dorsetshire, and, as we have seen, went to Ireland and met his fate.

Possibly the best comments ever passed on this

unfortunate affair are those of the Honourable Grantley Berkeley, who doubtless heard the most correct particulars about the matter. In his “Anecdotes of the Upper Ten Thousand,” he says, in reference to this hostile meeting: “Perhaps of all the extraordinary legends that have been handed down to us respecting the duel, was the one which took place in 1797, between Colonel King and Colonel Fitzgerald. To make this very sad affair still worse, the two families were connected, Colonel Fitzgerald’s father having been brother to the father of Lady Kingsborough, who was the mother of the unhappy girl of this strange tale.

“ She left her mother at Ancherwick House, near Runnymede; paddled herself across the Thames in a boat, and joined Colonel Fitzgerald, who awaited her in a post-chaise. He took her to a lodging in Clayton Street, Kensington, on the Saturday night, and left her there at six o’clock the following morning; but why he did thus leave her, or whether that absence was caused by any regimental duty, as he was a captain in the Guards, does not in any way appear. He never returned to her, and she remained in that lodging till the Wednesday, when Mr. Lawton discovered her hiding-place, and brought her away.

“ Lieutenant-Colonel Fitzgerald being a married man, there was no possibility of any redress other than his death could give, so Colonel King (her brother) came over from Ireland, and immediately called him out, sending Major Wood, of the 15th Foot, to arrange the time and place.

“ Now it appears on the face of these proceedings that Lieutenant-Colonel Fitzgerald, when called upon to atone by combat for the wrong he had committed, declared his inability to provide himself with a second; which proves indubitably that he must have had other blame attached to him than that of eloping with a young lady, he being a married man.

“ He must either have refused to put himself utterly and entirely into the hands of his seconds, or the seconds he applied to thought they could not trust him. When an officer cannot find a comrade in his own regiment to see him through a quarrel, no matter what about, it looks very bad indeed; but when both his regiment and the list of his acquaintances each show him, in his hour of need, ‘the cold shoulder,’ why then I do not know where a man calling himself a soldier and a gentleman could go for further or more overwhelming condemnation.

“ However ill a man may have behaved, a

generous heart in his need is as much or more inclined to stand his friend and get him out of his scrape than it would be in maintaining him on the summit of a just cause. If a man tells his second the truth, however bad the truth may be, and asks his friend to stand by his side, and his friend consents, which he may do without tarnishing his own honour in any one way, the principal who asked that favour then becomes an automaton, to kneel and ask forgiveness, to stand and be shot at without attempting any personal defence or aggression, or, if need be, to fight unto the death.

“The second is to be blamed for all that happens, not the principal, for the principal does, or ought to do, just what his second tells him, and by his second *he* himself should be carried free of all further blame.”

There may, however, have been another cause, which Mr. Grantley Berkeley does not notice. As Robbie Burns remarked, “We do not know what has to be resisted;” and from the mere fact that the young lady left the house of her own accord, and paddled herself on a dark night in a shallow skiff (possibly a borrowed one) across the Thames, proves she was not altogether an unwilling agent, and that the gentleman may have been as much

tempted as the tempter. Not that we mention this in order so much to lessen his guilt as to show that, even by Mr. Grantley Berkeley's reasoning, the man could not be altogether bad, "for he left her early the next morning, when presumably reason and honour asserted their sway, and did not return to her;" and when he was foolish enough to acquiesce in the intercourse being renewed, it was, as we have seen, at her most urgent entreaty.

Doubtless, being much older than she, he should have cut off all intercourse, by letter or otherwise, between them.

As already mentioned, it was only at the urgent message of Miss King that Colonel Fitzgerald was "induced, at even the risk of his life, to make an effort to rescue the young lady from the ill-treatment of her guards."

He perhaps thought that, as he was the cause of all her troubles, he must rescue her; and as eighty years ago the best of mothers and fathers believed in Solomon's saying, that he "who spared the rod, hated the child,"—one of the cruellest remarks the wisest of men ever made—and we do not doubt but that Miss King was put through so strict a following of the wise king's words that her letter, which led Colonel Fitzgerald to his

death, must have been a more than ordinarily persuasive one.

In fact, so far from our thinking, like Mr. Grantley Berkeley, that Colonel Fitzgerald's inability to find a friend was because his case was so bad a one, we fancy that the consequences in the case of Colonel Fitzgerald's killing the brother of the girl he had seduced, would have been most serious for him to be mixed with. People in those days were, we expect, quite as considerate of themselves as they are at present, and much more so than, we think, ever Mr. Grantley Berkeley would be, whose love of all our four-footed friends —barring foxes—is proverbial.

Mr. Berkeley passes so many remarks, however about this case upon the duty of seconds, that in a book upon duelling we cannot well pass them over. In the first place, we have only Major Wood's evidence about what happened, which, strictly partial, cannot much be relied upon. In the second place, the fact that he fought unseconded, and that he stated he would not fire at Colonel King, which has been proved, despite Major Wood's epistle, puts his actions in a more favourable light.

His end, we fancy, was only a *murder*, justifiable in some respects, but cowardly in others. It is

said, as we have seen described in the papers of the day, that Colonel Fitzgerald's room was broken into by his cousin (Miss King's brother), that a struggle took place between them, and that the father rushing in, pistolled the man that had wronged his daughter.

We, however, fancy that the affair was as much of a murder as well could be. There were no witnesses. The door was burst open, and Colonel Fitzgerald was shot dead, by one or two we will not determine to say. It was, doubtless, a deserved punishment; but it was an awfully cowardly one, according to our lights. The forcing open of the door, and the attack of two men upon one was a cowardly transaction at the best or worst.

The duel was a curious matter all through. Six shots, no less, were fired by Colonel King at Colonel Fitzgerald without effect, and the affair ended by the latter declaring he had no more ammunition.

After the fourth shot had passed between them, Major Wood said: "Though no friend of yours, sir, I am a friend to humanity; and, after what has passed, if you possess firmness enough to acknowledge to Colonel King that you are the vilest of human beings, and bear, without reply, any language from Colonel King, however harsh,

the present business *might perhaps then come to an end.*

As Mr. Berkeley remarks, this impossible demand Colonel Fitzgerald declined, saying he was ready to confess he was wrong, but no further, as he considered that that was enough.

Of the whole affair Mr. Grantley Berkeley says : “ he cannot but see the glaring impropriety of the whole proceedings, as far as the correct arrangement of the duel was concerned.

“ In the first place, and supposing,” he continues, “ that an officer’s conduct had been so extraordinarily bad as to warrant the refusal of any comrade or friend to be his second, that ought utterly and entirely to have prevented the meeting ; as no second should have permitted his principal to have fired at an unseconded man, nor should he have taken on himself, privately and personally as a foe, as he has declared himself to be, to have measured the ground, acting too under the avowed impression that Fitzgerald was then to be slaughtered without an intention of returning the fire.

“ And now let us see what use a second to Colonel Fitzgerald would have been if one had been called in and the matter vested in his hands. In the first place, Colonel Fitzgerald would have

been made to have received the fire of Colonel King without returning it, and then the second, if Fitzgerald had not been killed, would have removed him at once from the ground.

“ If after that Colonel King had applied any offensive language to his retiring adversary, then it would have been quite within Lieutenant-Colonel Fitzgerald’s power to have become the aggressor, and called out Colonel King; for, having withstood Colonel King’s fire and fired in the air, every amend it was possible to make had been effected, and the parties once again stood on that particular ground, at least, *as they were.*”

To such an able summing-up we have nothing to add, beyond stating that now-a-days the death of Colonel Fitzgerald would, even by an Irish jury, be possibly put down as a *murder.*

CHAPTER IX.

Improvements—Swords no longer worn at all times—The Mac-caroni era—Number of duels during the reign of George III.—Articles in the *North Briton* newspaper reflecting upon Lord Talbot—Meeting arranged between him and Colonel Wilkes—Letters that passed between Wilkes and Colonel Berkeley, Lord Talbot's second—Letter from Wilkes, after the duel, to Earl Temple—How Wilkes obtained leave from his regiment—Care taken to keep the matter a secret—Arrival of principals and seconds at the Red Lion, Bagshot—Wilkes' proposal for all four to sup together comfortably, and fight in the morning—Lord Talbot's outbursts of passion at the interview between him and Wilkes—Proposal of Wilkes for them to fight in the room without seconds—His lordship's surprise, and accusations of butchery—Had he the king's pardon in his pocket if Wilkes fell?—Wilkes' statement of he himself fighting with a halter round his neck—Settles his affairs—The duel—Flask of powder and a bag of bullets—Neither injured—Wilkes acknowledges he wrote the letters—Lord Talbot's satisfaction thereat.

THE duel of Mr. Wilkes, who was Colonel of the Bucks Militia, with Lord Talbot was one of the first that occurred in the beginning of the reign of George III. Hostile meetings had recently

entered on a new state of existence. Swords were no longer drawn in gambling-hells, taverns, or chocolate-houses on the spur of the moment, and public brawls had ceased to be fashionable. This was, however, greatly owing to the almost general disuse of carrying side-arms ; and when a weapon was not ready to hand, duels began to assume a more regular and civilized form. The “Bloods” and “Bucks” had had their day, and another and more refined generation of gentlemen took their places—men who did not wish to pass either for “hell-fire rakes” or “Blind and Bold Loves.” A name, however, for the “Crutch and Toothpicks” of 1762, had to be found for them ; but that was an easy matter, and it was not long before they were publicly christened “Mac-caronis.”

Not that there was any perceptible decrease in the number of duels in the long reign of George III., for one hundred and seventy-two are known to have been fought in that period, in which three hundred and forty-four principals were concerned, and double that number in addition if seconds and surgeons are taken into account. Of the three hundred and forty-four, sixty-nine individuals were killed, and in three of these fatal cases neither of the combatants survived. Ninety-six

were wounded—forty-eight of them desperately and forty-eight slightly—while one hundred and seventy-nine escaped unhurt.

It will therefore appear from the foregoing, that more than one-fifth of the combatants lost their lives, and that nearly one-half were hit by the bullets of their antagonists. It is also on record that only eighteen trials took place, that six of the arraigned individuals were acquitted, seven found guilty of manslaughter and three of murder, two of whom were sentenced to be executed, and eight imprisoned for different periods.

Although the carrying of side-arms was falling into disuse, and thus prevented those off-hand single combats once so common, it should be remembered that encounters with the small sword were not likely to prove so deadly in effect as duels with pistols would be. Besides, it was the custom, when rapiers were the weapons used, for the seconds to interfere and stop the combat the moment blood was seen to have been drawn, no matter how trifling the scratch might be.

The quarrel between Wilkes and Lord Talbot originated in a paragraph published in the *North Briton* of the 21st August, 1762, containing reflections injurious to the latter, when Wilkes wrote a letter to Colonel Berkeley (afterwards

Lord Bottetourt) that concluded as follows: "It is a real satisfaction to me that his Lordship is to be accompanied by a gentleman of Colonel Berkeley's worth and honour. This will be delivered to you by my adjutant, who attends me at Bagshot. I shall not bring my servant with me, from the fear of any of the parties being known. My pistols only, or his Lordship's, at his option, shall decide this point. I beg the favour of you to return me the letters, as I mean to leave Winchester this evening. I have Lord Bruce's leave of absence for ten days."

In a postscript, Mr. Wilkes adds: "I hope we may make a *partie quarrée* for supper on Tuesday, at Bagshot."

To this rather sprightly letter Colonel Berkeley wrote the following reply:—

"Camp, near Winchester,

"September 30th, 1762.

SIR,—I have sent all the letters, and shall depend upon the pleasure of supping with you at Telbury's,¹ the Red Lion, at Bagshot, Tuesday evening. My servant will attend me, as going alone would give room for suspicion; but you may depend upon his following your directions at

¹ There is a Telbury's Hotel now at Aldershot. It is just outside the West Cavalry Barracks Gate.

Bagshot, and that he shall not be seen when you would not have him. I am much obliged for your favourable opinion, and am, &c.,

“H. BERKELEY.”

“To Colonel Wilkes.”

This most remarkable meeting, and subsequent supper, between two men who each had done his best so shortly before to send the other to Hades, is so well described by Wilkes in a letter to Earl Temple, that we will quote that epistle in its entirety.

“Red Lion, at Bagshot,
Tuesday, 10 at night, October 5th, 1762.

“MY LORD,—I had the honour of transmitting to your Lordship copies of seven letters which passed between Lord Talbot and me. As the affair is now over, I enclose an original letter of Colonel Berkeley’s, with a copy of mine previous to it, which fixed the particulars of our meeting, and therefore remained secret, very sacredly kept by the four persons concerned.

“I came here at three this afternoon, and about four was told that Lord Talbot and Colonel Berkeley were in the house. Lord Talbot had been here at one, and was gone again, leaving a message, however, that he would soon return. I had continued in the room where I was on my

first coming, for fear of raising any suspicion. I sent my compliments to Colonel Berkeley, and that I wished to see him. He was so obliging as to come to me directly. I told him I supposed we were to sup together with Lord Talbot, whom I was ready to attend, as became a private gentleman, and that he and Mr. Harris (my adjutant), as our seconds, would settle the business of the next morning, according to my letter to him from Winchester and his answer. Berkeley said his Lordship wished to finish the business immediately; I replied that the appointment was to sup together that evening and to fight in the morning; that, in consequence of such an arrangement, I had, like an idle man of pleasure, put off some business of real importance, which I meant to settle before I went to bed. I added that I had come from Medmenham Abbey,² where the jovial monks of St. Francis had kept me up till four in the morning; that the world would therefore conclude I was drunk, and form no favourable opinion of his Lordship from a duel at such a time; that it more became us both to take a cool hour of the next morning,

² Mr. Charles Lever in one of his novels describes a meeting of the "Monks of the Screw." Those of St. Francis were built upon similar lines, and so far as we remember, Lord Byron, and Lord Barrymore were associates. It was a mad world then, my masters.

and as early a one as agreeable to his Lordship. Berkeley said he had undertaken to bring us together; and, as we were both now at Bagshot, he would leave us to settle our own business. He then asked me if I would go with him to his Lordship. I said I would any moment he pleased. We went directly, with my adjutant.

“I found his Lordship in an agony of passion. He said that I had injured him; that he was not used to be injured or insulted. What did I mean? Did I, or did I not, write the *North Briton* of August 21st, which affronted his honour? He would know: he insisted on a direct answer; here were his pistols. I replied that he would soon use them; that I desired to know by what right his Lordship catechised me about a paper that did not bear my name; that I should never resolve the question to him till he made out the right of putting it; and that, if I could have entertained any other idea, I was too well bred to have given his Lordship and Colonel Berkeley the trouble of coming to Bagshot. I observed that I was a private English gentleman, perfectly free and independent, which I held to be a character of the highest dignity; that I obeyed with pleasure a gracious Sovereign, but would never submit to the arbitrary dictates of a fellow-subject, a lord

steward of his household, my superior indeed in rank, fortune, and abilities, but my equal only in honour, courage, and liberty. His Lordship then asked me if I would fight him that evening. I said that I preferred the next morning, as it had been settled before, and gave my reasons. His Lordship replied that he insisted upon finishing the affair immediately. I told him I should very soon be ready; that I did not mean to quit him, but would absolutely first settle some important business relative to the education of my only daughter, whom I tenderly loved; that it would take up but very little time, and that I would immediately decide the affair in any way he chose, for I had brought both swords and pistols. I rang the bell for pen, ink, and paper, desiring his Lordship to conceal his pistols, that they might not be seen by the waiters. He soon after became half frantic, and used a thousand indecent expressions, that I should be hanged, damned, &c., &c. I said that I was not going to be frightened; that God had given me a firmness and spirit equal to his Lordship's, or any man's; that cool courage should always mark me, and that it would be seen how well bottomed he was.

“ After the waiter had brought pen, ink, and paper, I proposed that the door of the room should

be locked and not opened till our business was decided. His Lordship, on this proposition, became quite outrageous, declared this was mere *butchery*, and that I was a wretch that sought his life. I reminded him that I came there on a point of honour, to give his Lordship satisfaction; that I mentioned the circumstance of shutting the door only to prevent all possibility of interruption, and that I would in every circumstance be governed, not by the turbulence of the most violent temper I had ever seen, but by the calm determination of our two seconds, to whom I implicitly submitted. His Lordship then asked me if I would deny the paper. I answered that I would neither own nor deny it; if I survived, I would afterwards declare, but not before.

“ Soon after, he grew a little cooler, and in a soothing tone of voice said, ‘ I have never, I believe, offended Mr. Wilkes; why has he attacked me? He must be sorry to see me unhappy! ’ I asked him on what grounds his Lordship imputed the paper to me? That Mr. Wilkes would justify any paper to which he had put his name, and would equally assert the privilege of not giving any answer whatever about a paper to which he had not; that that was my undoubted right, which I was ready to seal with my blood.

“ He then said he admired me exceedingly, really loved me ; but I was such an unaccountable animal, such parts. We had after this a good deal of conversation about the Bucks Militia, and the day his Lordship came to see me on Wycombe Heath before I was colonel. He soon after flamed out again, and said to me, ‘ You are a murderer, you want to kill me ; but I am sure I shall kill you ; I know I shall, by G—d ! If you will fight, if you will kill me, I hope you will be hanged ; I know you will ! ’ I asked if I was first to be killed and afterwards to be hanged ? That I knew his Lordship fought me with the King’s pardon in his pocket, and I fought him with a halter about my neck. That I would fight him for all that, and that if he fell I should not tarry here a moment for the tender mercies of such a ministry, but would directly proceed to the next stage, where my valet waited for me ; from thence I would make the best of my way to France, as men of honour were sure of protection in that country. He then told me I was an unbeliever, and wished to be killed. I could not help smiling at this, and observed we did not meet at Bagshot to settle articles of faith, but points of honour ; that indeed I had no fear of dying, but I enjoyed life as much as any man ; that I am as little

subject to be gloomy or even peevish as any Englishman whatever ; that I valued life and the few enjoyments of it so much I would never quit it of my own consent, except on a call of honour.

“ I then wrote a letter to your Lordship respecting the education of Miss Wilkes, and gave you my poor thanks for the steady friendship with which you have so many years honoured me. Colonel Berkeley took the care of the letter, and I have since desired him to send it to Stowe, for the sentiments of the heart at such a moment are beyond all politics, and indeed everything else, except such virtues as Lord Temple’s.

“ When I had sealed the letter I told his Lordship I was entirely at his service, and I again desired we might decide the affair in the room, because there could not be a possibility of an interruption, but he was quite inexorable. He then asked me how many times we should fire : I said I left it to his choice. I had brought a flask of powder and a bag of bullets. Our seconds then charged the pistols which my adjutant had brought. They were large horse pistols. It was agreed we should fire at the word of command, to be given by one of our seconds. They tossed up, and it fell to my adjutant to give the word.

“ We then left the room and walked to a garden

at some distance from the house. It was near seven, and the moon shone brightly. We stood about eight³ yards distant, and agreed not to turn round before we fired, but to continue facing each other. Harris gave the word. Both our fires were in very exact time, but neither took effect.

“I walked up immediately to his Lordship and told him that now I avowed that paper. His Lordship paid me the highest encomiums upon my courage, and said he would declare everywhere that I was the noblest fellow God ever made. He then desired that we might now be good friends, and retire to the inn to drink a bottle of claret together, which we did with great good-humour and much laughter.

“His Lordship afterwards went to Windsor, Colonel Berkeley and my adjutant to Winchester, and I continue here until to-morrow morning, waiting the return of my valet, to whom I have sent a messenger. Berkeley told me he was grieved at his Lordship’s passion, and admired my coolness and courage beyond his farthest idea, that was his expression.

“I am, my Lord, &c.,

“JOHN WILKES.”

³ See remarks on distance at page 163.

CHAPTER X.

Lord Paget—His departure for the Peninsula—Lady Charlotte Wellesley—Her husband's admonition—The walk in the Green Park and the subsequent elopement of Lady Charlotte with Lord Paget—The duel between Captain Cadogan and his lordship—Stopped by the seconds, Lord Paget not aiming at his opponent—Action at law for damages, brought by Mr. Wellesley against Lord Paget—Verdict 20,000*l.*—Mr. Wellesley's offer to take his wife back, and forget and forgive—Her refusal—Duel between Lieutenant-Colonel Montgomery and Captain Macnamara, R.N.—The cause—The result—Trial of Captain Macnamara for murder—His defence, and evidence to character—Acquittal—Captain Helsham and Lieutenant Crowther's duel at Boulogne—Lieutenant Crowther killed—Trial of Captain Helsham in England for the capital offence—Strong evidence against the accused—Acquittal—Dr. Cobb's instance of the advantage of coolness and presence of mind in a duel.

IN the House of Commons, January 25th, 1809, Lord Castlereagh, among the names of other generals, mentions that of Lord Paget, as connected with the retreat upon, and the battle of, Corunna; and we need only refer to the despatches of that period, describing what took place when

in the Peninsula, to know that, of the many generals referred to, none deserved greater praise than Lord Paget.

As is well known, the British troops embarked at Corunna immediately after the battle, and Lord Paget with them; while that an intimacy between him and the Lady Charlotte Wellesley existed previous to his departure for Spain, cannot well be doubted, as will presently appear.

We may now state that on Monday, the 6th day of March, 1809, Mr. Henry Wellesley, who was then secretary of the Treasury, spoke very pointedly to his wife about the very marked and constant attentions of Lord Paget to her, which (though from the long and confidential friendship that had subsisted between the families, he did not apprehend to be dishonourable) might affect her reputation in the world. Lady Charlotte was indignant at the idea of being accused, and hurried out with her servant to take the air in the Green Park. She desired the footman to remain at the gate, as she would walk for a short time; and it appears that her ladyship then took a hackney coach instead of a stroll, sending a note at the same time to Lord Paget at Uxbridge House. They met, and in a state of irritated

feeling, whether from guilt, or a consciousness of being wrongfully accused, it is not easy to tell. All that is known is that they at once set off together.

As Lady Charlotte did not return to dinner, inquiries were made. The servant continued at his post, where she had left him, until a late hour, and on his return home, being questioned, he gave the above account. The truth, which was already suspected, was confirmed by a letter that Lord Paget wrote to his father, in which he acknowledged his trespass, and that he had in vain, "even in the heat of battle, sought a refuge from the agonies of a distracted mind." This much is certain, that on every occasion in Spain he displayed an almost adventurous gallantry, amounting to rashness.

In this case Lord Paget was not a single man, being married to one of Lady Jersey's daughters, by whom he had already a numerous family. We may add that Lady Charlotte and Lady William Cadogan had married two brothers, Henry and William Wellesley.

Why the man chiefly wronged did not challenge his wife's seducer we cannot attempt to say, beyond that the first consequence of the elopement was a duel between Lord Paget and Lady

Charlotte's brother, Captain Cadogan, of which the following account appears in the *Annual Register*, under the date of May, 1809 :—

“ In order to prevent the appearance in the papers of any misstatement respecting the duel which took place this morning between Lord Paget and Captain Cadogan, we, the respective friends of the parties, feel it incumbent on us to submit the following as the correct statement of the event as it occurred.

“ In consequence of a challenge having been received by Lord Paget from Captain Cadogan, and every attempt to prevent a meeting having failed, the parties, attended by their respective friends—Captain Cadogan by Captain Mackenzie, of the Navy, and Lord Paget by Lieutenant-Colonel Vivian, of the 7th Light Dragoons—met, as agreed upon, at seven o'clock on Wimbledon Common. The ground having been taken at twelve paces' distance, they were to fire together. Captain Cadogan fired, but Lord Paget's pistol only flashed.¹ This having been decided to count for a fire, a question arose whether Lord Paget had taken aim as if intending to hit his antagonist. Both the seconds being clearly of opinion that

¹ That is, did not go off, not an unusual thing with flint-locks.

such was not his intention (although the degree of obliquity he gave the direction of the pistol was such as to be discovered only by particular observation), Captain Mackenzie stated to Captain Cadogan that, as it appeared to be Lord Paget's intention not to fire at him, he could not admit the affair proceeding any farther. Lieutenant-Colonel Vivian then asked Captain Cadogan whether he had not himself observed that Lord Paget had not aimed at him. To which he (Captain Cadogan) replied in the affirmative. Captain Mackenzie then declared his intention not to remain any longer in the field to witness any further act of hostility on the part of Captain Cadogan. Captain Cadogan replied that of course his conduct must be decided by his second; declaring at the same time he had come prepared for the fall of one of the parties.

“ On Captain Mackenzie and Lieutenant-Colonel Vivian making it known to Lord Paget that, as he evidently did not intend to fire at Captain Cadogan, the affair could go no further, his Lordship replied, ‘ As such is your determination, I have no hesitation in saying that nothing could have induced me to add to the injuries I have already done the family by firing at the brother

of Lady Charlotte Wellesley.' The parties then left the ground.

(Signed) "R. H. VIVIAN.

"GEORGE CHARLES MACKENZIE."

The next we learn of this affair was that an action for *crim. con.* had been brought by Mr. Henry Wellesley against Lord Paget, when Mr. Garram, on the part of the plaintiff, depicted the previous happiness enjoyed by Mr. Wellesley and his wife, and mentioning as well their large family, winding up with a description of the defendant's conduct, who, he said, "had courage enough to conquer every enemy but his own passions." The jury found a verdict for the plaintiff, damages *twenty thousand pounds*.

The sequel of all this is that on the 31st of May Lady Charlotte wrote to a mutual friend of hers and her husband's, expressing great contrition for what she had done and wishing, naturally, to hear of her children often as well as to see them. On receipt of this from Mr. Arbuthnot, Mr. Henry Wellesley replied, "That for the sake of her welfare and that of her children he would consent to receive her again, provided she would return and break off all correspondence or connection with the person she was then with; but that she must

return instantly, for the next day would be too late."

She, however, elected otherwise, and Lord Paget having purchased a house for her and made a settlement upon her, returned to his own family and went straight away with his wife to Beaudesert in Staffordshire.

A duel that took place on April 6th, 1803, shows how little provocation was considered provocation enough to, as it were, dictate an appeal to arms. On that morning, as Lieutenant-Colonel Montgomery, of the 9th Foot, and Captain Macnamara, R.N., were riding in Hyde Park, each followed by a Newfoundland dog, the two dogs first snarled at one another and then began fighting. Colonel Montgomery leapt off his horse, managed to separate them, and not having seen Captain Macnamara, exclaimed angrily, "Whose dog is that? I have a good mind to knock him down;" when Captain Macnamara replied, "Have you the impudence to say you will knock my dog down? You will have first to knock me down."

An altercation ensued, followed by an exchange of cards, and an agreement to meet at seven o'clock in the evening near Primrose Hill, the consequence of which proved fatal; Captain Macnamara's ball having entered the right side of

Colonel Montgomery's chest and passed through his heart. Colonel Montgomery instantly fell, never uttering a word, but groaning as he rolled over two or three times in his agony. Colonel Montgomery's ball went through Captain Macnamara, entering on the right side, just above the hip, and passing through the left side carried part of the coat and waistcoat in with it, and took part of his leather breeches and the hip button away with it on the other side.

Colonel Montgomery was carried by some of the persons standing by into Chalk Farm house, where he was laid on a bed and attended by Mr. Heaviside. As they were carrying him he tried to speak and spit, but the blood choked him. His mouth foamed much, and in about five minutes after he was taken into the house he expired with a heavy sigh.

Captain Macnamara recovered from his wound, and was tried for murder at the Old Bailey on the 22nd of April. His defence, which was prepared by Lord Erskine (then Mr. Erskine), was to the following effect:—

“I am a captain of the British Navy. My character you can hear only from others; but to maintain my character in that situation I must be respected. When called upon to lead others into

honourable danger, I must not be supposed to be a man who sought safety by submitting to what custom has taught others to consider as a disgrace. I am not presuming to urge anything against the law of God or of this land; I know that in the eyes of duty and reason, obedience to the law, though against the feelings of the world, is the first duty, and ought to be the rule of action; but upon putting a construction of my motives, so as to ascertain the quality of my actions, you will make allowance for my situation. It is impossible to define in terms the proper feelings of a gentleman, but their existence has supported this country for many ages, and she might perish if they were lost."

A few days, or rather a week, before the trial, Mr. Heaviside, the surgeon, was arrested by Townsend, the Bow Street runner, under authority of a warrant from Sir Richard Ford, wherein he stood charged with having aided and abetted the murder of Colonel Montgomery; and after undergoing a private examination before the above-named magistrate at Bow Street, he was fully committed to Newgate for trial at the ensuing Old Bailey Sessions. Several witnesses were also privately examined respecting the duel, and bound over to appear at the trial. The same day this

took place (14th March), Captain Macnamara was declared to be out of danger, though not well enough to be removed. At the inquest a verdict of manslaughter was brought in, after which the remains were buried on Saturday (April 9th) in a vault in St. James's Church. The funeral was attended by General Loftus, Mr. Byng, and Mr. Beresford, the representatives of the three families to whom he had been nearest related.

When the evidence at the trial was closed for the prosecution, the prisoner addressed the jury in mitigation of his conduct, and called upon Lords Hood, Nelson, Hotham, and Minto, and a number of other gentlemen, all of whom gave Captain Macnamara an excellent character. Mr. Justice Heath, in summing up, said "that from the testimony of the witnesses, and by the prisoner's own admission, the jury must find a verdict of manslaughter." The jury were, however, of a different opinion, for, after retiring for a quarter of an hour, they brought in a verdict of "not guilty."

On the 1st of April, 1829, a duel, also attended with a fatal result, took place at Boulogne, between Captain Helsham and Lieutenant Crowther, formerly of the 1st Regiment of Foot, which arose out of an objection made by the

former to the admission of the latter to a club established at Boulogne. The objection, which we may as well state, was that the lieutenant had, when in England, been horsewhipped by some one, and had not as an officer and a gentleman challenged his assailant. The lieutenant demanded an apology, which the captain refused to make ; a challenge was sent by the former to the latter through his second, Mr. Maloney, of the 5th Dragoon Guards. Mr. Grady acted as Captain Helsham's friend, and the meeting took place near the pier at Boulogne in presence of a great number of people, and at the first fire Lieutenant Crowther fell, shot through the neck, and died almost immediately.

A year and a half afterwards Captain Helsham was tried by special commission at the Old Bailey, on a charge of murder, under the Act of the 9th of George IV., in which it is provided "that if any of his Majesty's subjects should be charged in this country with murder or manslaughter of any fellow-subject on land abroad, and beyond his Majesty's prerogative, it should be lawful, although such murder or manslaughter be in a foreign land, to try such party accused of either of these offences in England."

According to the evidence given by William

Cocksley, an inhabitant of Boulogne, at the trial, his attention was called to the duel from seeing so many people hurrying towards the pier. After some time had elapsed, Mr. Maloney beckoned to Lieutenant Crowther to come up, he being some distance away. Mr. Maloney put a pistol into Lieutenant Crowther's hand, and the two principals having taken their positions, the lieutenant fired when the signal to do so was given. Cocksley goes on to say that "hearing the report, I turned and watched why Captain Helsham's pistol had not gone off, when I observed the captain's arm raised, and, after I had looked at him some short time, his pistol was raised and Lieutenant Crowther fell. I ran towards him, and found him almost dead; the ball had passed through his neck. He never spoke afterwards. Captain Helsham walked off the ground immediately, having first told a servant, who was attending him, to take his pistols home." Another witness, William Hopkins, who had seen the whole affair as well, corroborated the evidence that Mr. Cocksley had given.

Mr. Maloney, whose evidence is very important, we will give nearly in full. On being questioned, he said: "I am an officer in the 5th Dragoon

Guards; I resided at Boulogne, and was acquainted with the late Lieutenant Crowther, who consulted me as a friend on the 31st day of March, respecting something that had affected his character. In consequence of what he told me, I went to Holt's hotel on the evening of that day to meet Mr. Grady. Before that gentleman came to me, Colonel Conway and Captain Helsham came; the colonel arriving first. When the captain came he said he would neither apologize nor fight Lieutenant Crowther, assigning as his reason, that he (Lieutenant Crowther) had been horse-whipped some time back, and he had not resented it as an officer and a gentleman ought. I solicited him to apologize, telling him that Lieutenant Crowther had assured me upon his honour that the story was false. To this he replied, Lieutenant Crowther's word was not to be believed. . . I renewed my endeavours to prevail on Captain Helsham to apologize, upon which the prisoner said, 'An apology, sir! nonsense!' At length I delivered a message that if he would not apologize, Mr. Crowther expected he would meet him in the field. After some further conversation, the captain said, 'Well, I give him a warning. I am ready to meet him; but I will make it an affair of business.'

“Shortly after this Mr. Grady came in, and Colonel Conway and the prisoner left the room; the latter had conducted himself during the whole interview with great rudeness. Mr. Grady and myself conversed on the subject, and I made a proposal to him for terminating the difference, which he appeared to approve of, and left the room. In six or seven minutes he returned with an unfavourable reply, when arrangements were made for the parties to meet the next day at eleven o’clock, at Napoleon’s Column. I accompanied Lieutenant Crowther to the spot, and in about a quarter of an hour Captain Helsham and Mr. Grady joined us. Having sent Mr. Crowther a distance off, I commenced with Mr. Grady, objecting to the number of persons present, saying, ‘Why did you bring all these people here?’ The prisoner was near enough to hear the remark. He replied that Captain Helsham wished them to be there, or that they wished to be there, I do not recollect which. Mr. Grady said the captain would have no firing, unless it was separate, and we then proceeded to arrange the manner in which the duel was to be fought. While we were doing so, the prisoner interfered. He would be present, and listened to all that passed between Mr. Grady and me. I objected to that several

times. Captain Helsham was in the ditch with us when we loaded the pistols, and I observed to him that that was a most unusual thing, and contrary to all duelling usage. He said he did not care a d—n for the usage; he would see the pistols loaded himself. The distance agreed upon was twelve paces, and that the principals were to stand with their pistols even down by their right sides, until Mr. Grady pronounced the words, 'Now, gentlemen,' and when these were said, they were to raise their arms, and fire as near together as possible, and no second aim was to be waken.

"The parties were then placed, when Mr. Grady pronounced the signal loud enough for both to hear. Lieutenant Crowther immediately raised his right arm with rather a quick motion, fired, and then dropped his arm by his side, Captain Helsham did not fire till some time afterwards. Not hearing the report of his pistol after that of Lieutenant Crowther's, I looked about, and observed the captain's pistol pointed towards his opponent in a position, that had he fired the ball would have fallen short, his arm not being fully raised. He leaned his head to the right to get a good view of the lieutenant, raised his arm gradually, and did not fire for some seconds, until he

had fairly covered his man, that is, got his pistol in a direction to him, and was looking along it. He appeared to take a deliberate aim. He fired, and Mr. Crowther fell, the ball having passed through his neck."

For the defence, it was urged that there could have been no animosity on the part of the prisoner, an assertion difficult to disprove, and several witnesses gave the prisoner an excellent character for kindness, generosity, and humanity. There were probably in England at the time men less humane, generous, and kind than Captain Helsham ; and such could conscientiously testify to his being exceptionally endowed with these virtues. In our opinion, however, he was guilty of manslaughter at least, seeing that he had made his accusation on hearsay evidence alone, would not withdraw it, and so compelled Lieutenant Crowther to challenge him, while he fought the duel in the unfairest manner it was possible to do. The jury, however, thought otherwise, for after a short consultation of twenty minutes, they returned into court with a verdict of " Not Guilty."

Coolness was evidently a *sine qua non* with a successful duellist. Mr. Crowther seems to have been rather deficient in coolness as well as in nerve.

Dr. Cobb gives a very good instance of coolness and presence of mind, under adverse circumstances, which we may as well quote. Being near Stevens' Hospital in Dublin early one summer's morning, he noticed some carriages containing gentlemen proceeding in the direction of Phœnix Park. He tells us how “impelled by curiosity I followed until they halted near the Under-Secretary's lodge. I then observed two gentlemen, armed with pistols, placed opposite to each other at a short distance, and that one of them faced the dazzling sun (his second having evidently lost the toss for choice of position). The man thus exposed to so dangerous an impediment of vision, wheeled round, and with perfect *sang-froid* transferred the pistol to his left hand, with which he fired and hit his adversary. Such presence of mind made a strong impression upon me.”

CHAPTER XI.

The days of the “Bold Bucks,” the “Hell-fires,” and the “Blind and Bold Love” clubs—The numerous duels and the scapegoat—Major Oneby and Mr. Gower—The quarrel—The duel between those two in a room, without seconds—Mr. Gower killed—The major tried for murder, found guilty, and sentenced to be hung, but committed suicide—Steele’s dislike to duelling—His essays on the subject—Obliged, however, to fight a duel—The result—Lord Cobham and Lord Harvey—Good manners of the former—Sir Robert Walpole’s account of the affair—Lord “Gob’em” apologizes to Lord Harvey—No duel—Mr. Leveson’s and Nugent’s disagreement—How they made it up—Colonel Harvey Ashton and Major Picton’s duel—Major Allen and Colonel Aston—Cause of quarrel, as related by Colonel Wellesley (the Duke of Wellington)—Colonel Aston’s first letter to the Duke—His second letter, and duel—Colonel Aston’s death—Disappearance of Major Allen’s name from the Army List—The order relative to his arrest, &c.

IN the earlier part of the eighteenth century, had life insurance offices been in existence, the premium would have required to be very high to make such undertakings at all remunerative. Swords were drawn on the slightest provocation,

or upon no provocation at all, and as in an Irish row, often the quarrel of two became the quarrel of twenty. Outside of the Royal Chocolate-house in St. James's Street (1717) when one of those general frays was proceeding, three of those engaged in it were mortally wounded, and one of the party (Colonel Cunningham) was only saved by his footman rushing through the drawn swords, and carrying his master bodily off by force. In 1720 one hundred gentlemen were fighting with swords and canes, and were only dispersed by being ridden through and down by a detachment of Life Guards, who with their swords killed several of the rioters, and dangerously wounded others ere the disturbance could be stopped, and the whole of this row had arisen because two chairmen were fighting. A week after this a Captain Fitzgerald and three other young men stopped a sedan-chair with a lady in it, attempting to force her out, and because the watchmen interfered, one of them was run through the body and immediately expired from the wound.

These were the days of the "Bold Bucks," the "Hell-fires," and the "Blind and Bold Love" clubs, and the excesses of their members became at last so notorious, that the authorities deter-

mined to interfere in earnest, and as some one would have to be a scape-goat, the first that offered (Major Oneby) was accepted. The following are the particulars of this very curious and interesting case.

In the year 1726 Major Oneby was indicted for the murder of Mr. Gower, and a special verdict was found, to the effect, "that the person being in company with the deceased, and three other persons at a tavern, in a friendly manner, after some time began playing at hazard, when Rich, one of the company, asked if any one would set him three half-crowns, whereupon the deceased in a jocular manner laid down three half-pence, telling Rich he had set him three pieces ; and the prisoner at the same time set Rich three half-crowns, and lost them to him. Immediately after this, the prisoner, in an angry tone, turned to the deceased, and said, 'It was an impertinent thing to set down half-pence, and that he was an impertinent puppy for so doing,' to which the deceased answered, 'Whoever said so was a rascal.' On this the prisoner took up a bottle, and with great force threw it at the deceased's head, but did not hit him, the bottle only brushing some of the powder out of his hair. The deceased in return, immediately tossed a candlestick or a bottle

at the prisoner, which missed him, upon which they both rose up to fetch their swords, which were then hung up in the room, and the deceased drew his sword, but the prisoner was prevented drawing his by the company; the deceased then threw away his sword, and the company interposing, they all again sat down for the space of an hour. At the expiration of that time the deceased said to the prisoner, 'We have had hot words, and you were the aggressor, but I think we may pass it over,' at the same time offering his hand to the prisoner, who made for answer, 'No, *d—n you*; *I will have your blood.*' After the reckoning was paid, all the company except the prisoner went out of the room to go home, when he called to the deceased, saying, 'Young man, come back; I have something to say to you.' The deceased returning to the room, the door was at once closed against the rest of the company, who could hear a clashing of swords; it was then the prisoner gave the deceased his mortal wound. It was also ascertained that on the breaking up of the company, the prisoner had his great-coat thrown over his shoulders, and that he received three slight wounds in the fight; and that on his death-bed the deceased was asked whether he had received his wounds in a fair fight, to which he answered,

‘I think I did.’ It was further found that after the throwing of the bottle, no reconciliation took place between the prisoner and the deceased.”

Upon these facts the judges found Major Oneby guilty of wilful murder, “he having acted upon malice and deliberation, and not from sudden passion,” and they sentenced him to death. The major, however, balked the executioner and public curiosity by committing suicide. Major Oneby and Major Campbell¹ are the only two duellists ever sentenced to death, and in each case the duel had taken place in a room without witnesses.

It was about this period that Steele, who had formerly been an officer in the Coldstream Guards, wrote three essays, one in the *Spectator* (No. 84), and Nos. 129 and 130, against duelling, in the *Guardian*; and in the character of Spinamont he alluded to a meeting that had taken place between Sir Cholmondeley Dering and Mr. Thornhill, when the former was killed. Thornhill was acquitted of the charge of murder; but two months after he was stabbed by two men on Turnham Green, who exclaimed as they did so, “*Remember Sir Cholmondeley Dering.*”

Steele’s dislike to duelling was of long standing,

¹ See chap. ii., p. 40.

but even when in the army, and using all his efforts to discountenance it, he could not avoid being drawn into a quarrel himself that very nearly proved fatal to his opponent. It arose in this wise. A brother officer of Steele's, in the Coldstreams, came one morning to inform him that it was his intention to call out a person who had offended him, but was dissuaded from doing so by the powerful arguments of Steele. When some of the officers heard this, they thought proper to spread a report, that Steele's only reason for interfering in the affair was to screen the offender from a punishment his conduct only too richly deserved, thus compromising the honour of the person whom he had offended. It was therefore decided to call Steele out, presumably with the idea that if he prevented others fighting, he would have to fight himself. They meant to let him know he should not spoil sport with impunity. A challenge was therefore sent to Steele, who endeavoured in every way to avoid the meeting, but in vain. Relying, however, on his skill as a swordsman, which was considerable, he felt confident that he could chastise the aggressor without endangering that person's life. The parties met, and Steele's buckle breaking as he was tightening his shoe,

he urged this accident as an inducement against the challenger going on with the affair, but all to no purpose. Swords were drawn, Steele parrying several fierce lounges made at his body, till at last in an attempt to disarm his antagonist, he ran him through the body. After lingering some time in a hopeless state he recovered, to Steele's great happiness.

But the fashion of duelling was nearly at its height during the administration of Sir Robert Walpole, and in the following letter from Sir Robert to Mann, we get a little insight into the manners (?) of that day (1750), both as regards duelling and other things :—

“ About ten days ago,” writes Walpole, “ at the new Lady Cobham's assembly, Lord Harvey was leaning over a chair talking to some women, and holding his hat in his hand ; Lord Cobham came up and spit in it—yes, spit in it—and then with a loud laugh turned to Nugent, and said, ‘ Pay me my wager.’ In short, he had laid a guinea that he committed this absurd brutality, and that it was not resented ; Lord Harvey, with great temper and sense, asked if he had any further occasion for his hat. ‘ Oh ! I see you are angry.’ ‘ Not very well pleased.’ Lord Cobham took the fatal hat and wiped it, and made a thousand foolish

apologies, and wanted to pass it off as a joke. Next morning he rose with the sun, and went to visit Lord Harvey: he would not see him, but wrote to the *spitter* (or as he is now called, Lord *Gob'em*) to say that he had grossly insulted him before company, but having involved Nugent in it, he desired to know to which he was to address himself for satisfaction. Lord Cobham made a submissive answer, and begged pardon both in his own and Nugent's name. Here it rested for a few days, till the matter getting wind Lord Harvey wrote again to insist upon an explicit apology under Lord Cobham's own hand, with a rehearsal of the excuses that had been made to him. This too was complied with, and the *fair conqueror*² showed all the letters. Nugent's

² Walpole calls him "the fair conqueror" from his great effeminacy, which perhaps induced Lord Cobham to insult him in so gross a manner. It should, however, be remembered that Harvey was a young man of considerable wit and ability, but most infirm health, so much so in fact, that he found it necessary to live on asses' milk and biscuits. This might be greatly his own fault seeing that he took emetics daily, and only once a week indulged himself with an apple, although very fond of fruit. He encouraged ridicule by the contrast between his pompous manner, and puny effeminate appearance, and still more unhappily for him, he attacked that equally effeminate and puny, but spiteful and heartless creature, Alexander Pope, who, in return, has handed his name down to posterity as

disgraces have not ended here. The night of his having declaimed so furiously against Lord Sandwich, he was standing beside Lady Catherine Pelham at the masquerade without his mask. She was telling him some story of a mad dog (which I believe had bit herself), when young Leveson, the Duchess of Bedford's brother, came up without his mask too, and looking at Nugent said, 'I have seen a mad dog also to-day, and a silly dog too.' 'I suppose, Mr. Leveson, you have been looking in the glass?' 'No, I see him now.' Upon which they walked off together, but were prevented from fighting (if Nugent would have fought), and were reconciled at the side-board. The former circumstance gave rise to a vulgar, but for a time a fashionable saw, 'We spit in his hat on Thursday, and wipe it off on Friday.'³ The Lord Cobham³ who here disgraced himself was at the time a general in the army, and a colonel of a regiment of dragoons.

a monster of profligacy, and a "mere white curd of asses' milk."

³ This Lord Cobham must not be confounded with his father the great Viscount Cobham, a man as conspicuous for his noble bearing and chivalrous conduct as his son seems to have been wanting in these qualities. Field-Marshal Viscount Cobham died in 1749, which accounts for Walpole in 1750 speaking of the "new Lady Cobham's assembly."

In the obituary of the *Gentleman's Magazine* for June, 1799, the following appears:—"At Madras, in consequence of a wound he received (December 23, 1798) in a duel with Major Allen, of which he languished about a week, Colonel Harvey Aston.⁴ He had been engaged in a similar affair of honour with Major Picton only the day preceding that on which he met Major Allen; but which was fortunately terminated by each party firing in the air" (this is scarcely correct, as will presently appear), "and a proper explanation taking place as to the offence. Colonel Aston was married to the lovely Miss Ingram, daughter of Lady Ingram, and sister to the Marchioness of Hertford, to whom and family he has left a fortune of 5000*l.* per annum in Derbyshire and Cheshire."

This duel is a remarkable one not only from the fact that the particulars were recorded by the Duke of Wellington, then Colonel Wellesley, but that Colonel Aston's death made room for Colonel Wellesley to be employed at the siege of Seringapatam, which, as we all know, was the commencement of a military career of victory that did not halt until Waterloo. The circum-

⁴ The Captain Harvey Aston whose duel with Lieutenant Fitzgerald we related in a previous chapter.

stances which led up to the fatal event are clearly stated in the following letter, which we quote from Vol. I. of the Wellington "Supplementary Despatches."

"In the month of September Lieutenant Hartley, who was acting-quartermaster of the 12th, wrote a private letter to Colonel Aston, stating that Major Allen⁵ had charged to his account certain articles which had been ordered from Europe for the use of the officers of the regiment, and which still remained in the quartermaster's stores. This information drew from Colonel Aston two letters, one to Major Picton, in which he mentions the circumstance, and his opinion that the charge ought not to have been made against Lieutenant Hartley; another (a private one), to Lieutenant Hartley, in which, it is said, he expressed his surprise that Major Allen should have acted so illiberally. Major Picton, immediately after he received this letter, ordered a regimental court of inquiry, 'to inquire' (as he says himself) 'into the merits of a complaint made by Lieutenant Hartley to Colonel Aston, that the Paymaster had stopped money out of his account for different regimental articles in store, and in

⁵ Major Allen was senior captain in the 12th Foot, and there being no paymaster, he was doing the duty.

consequence of a letter he (Lieutenant Hartley) had been showing to different officers of the corps, which he said he received from you' (Colonel Aston). This court of inquiry proceeded, and Colonel Aston, in different letters from Madras to Major Picton, expressed his opinion of its irregularity. The major proposed several methods of concluding the business, such as referring it to the Commander-in-Chief, to all of which Colonel Aston answered that he would have nothing to do with anything which had been so irregular.

"At last Major Picton called together the officers of the regiment, and submitted the proceedings of the court of inquiry to them. They would have nothing to do with it, and a committee of officers was appointed to take it into consideration.

"All this was quite irregular, and Colonel Aston, as in duty bound, gave out an order thereon. Major Picton wrote to Colonel Aston requesting him to cancel the order, *without stating any reason upon which he grounded his request*. Of course Colonel Aston merely acknowledged his letter, without any further comment.

In this state of the matter, Major Picton ought either to have endeavoured to persuade Colonel

Aston to cancel the order, and if he could not succeed in that, he ought to have desired to stand a court-martial; or, he ought at once to have asked for a court-martial. He adopted neither course, but went down to Arnea, and challenged Colonel Aston for an offence which he stated him to have given him, Major A——, as commanding officer of his regiment. Colonel Aston refused to fight him on that ground; at the same time, he said that he should not avail himself of the advantage the major had given him, by challenging him for an act done in his military capacity. After several letters had passed, at last Major Picton challenged him to fight, for having written the letter acknowledging the receipt of his, written from Madras. Upon that account the colonel yielded, absurd as the thing may seem; they went out to fight; Major Picton's pistol missed fire; Colonel Aston desired him to try again, the seconds interfered, and declared he could not. Colonel Aston fired in the air, and said that he had no objection to declare he had no intention of offending Major Picton in that letter, and that he was ready to shake hands with him. He then said that their difference of opinion respecting the order remained as it had been before: that the major was at liberty to

take such steps as he thought necessary to free himself from the imputation he supposed had been thrown upon him, and that what had passed should not prevent it, or ever be mentioned. The parties then went home.

“ Major Allen happened to be upon the ground, and saw everything that was done. On the same morning he called upon Colonel Aston and desired to speak to him. He lamented, as Colonel Aston said, the unfavourable circumstances which had happened, and stated his wish to leave the corps ; Colonel Aston recommended it to him to consider well before he took that step. After a conversation which lasted about an hour and a half, respecting Lieutenant Hartley and different subjects, in the course of which he urged Colonel Aston to recall the expressions made use of in his letter to Mr. Hartley ; he at last said, ‘ Colonel Aston, what is your private opinion of me ? ’ Colonel Aston said, ‘ I am not obliged to give you my private opinion upon any subject.’ ‘ Then,’ said Major Allen, ‘ will you give me a private meeting ? ’ ‘ Yes,’ replied Colonel Aston.

“ Upon the ground an offer was made to Major Allen that Colonel Aston would say that he had not intended that his private letter should have been seen by him or by anybody except the person

to whom it was addressed ; with that, however, the major was not satisfied ; indeed, the quarrel seemed to have evidently shifted ground altogether. The matter proceeded ; the parties fired ; and Major Allen's ball entered the right side of Colonel Aston, penetrated the liver, went through his back-bone, turned, and lodged near his left hip-bone."

The Duke of Wellington continues : " I cannot conclude this sad story without expressing my regret that I was not at Arnea, to do everything in my power to prevent what happened, in which, however, it is probable I should have failed. If anything can give Colonel Aston's friends consolation, it must be to learn that his moderation was as conspicuous as his coolness, and that this misfortune was not occasioned by his fault. Colonel Aston lived a week after the duel, and died lamented by all good men in this country."

The following letter, written by Colonel Aston to the Duke, throws more light upon the melancholy event, so we also quote it. It was sent after the duel with Major Picton had been arranged.

" DEAR WELLESLEY,—The major having intimated a wish this morning to avoid a public discussion, I did not write to you as I intended, in hopes of

being able to inform you of the result of his propositions. He sent for Cragie, and requested him to call on me to express his desire that some means might be devised to settle our differences of opinion in any other way than in a court-martial ; in answer to which I desired Cragie to deliver to him the following message :—

“ ‘ Colonel A—— desires me to inform you that he is willing to consent to the adoption of any means that can be devised, and which you prefer to a public discussion, to settle the difference of opinion on a military subject with credit to himself in his public and private capacity.’

“ Nothing further has yet transpired, but whatever occurs between this and bed-time, I will inform you by to-morrow evening’s tappall.⁶ I am convinced, notwithstanding the major’s vapouring, that he would willingly adopt any other mode in preference to a court-martial. He proposed writing me an explanatory letter, and such a one as would enable me to relieve his mind without discredit to myself as an officer and a gentleman. I have sketched out something that I think may answer the above purpose, if the major can be persuaded to think so ; but, in my opinion, it will end in his proposing to refer our military squabble

⁶ Indian Messenger, then the country post.

to the Commander-in-Chief, which I do not conceive there could be any objection to on my part, as the proposition will come from the major in the form of a request to me. I hope my dictation to my secretary, Sturt, whilst dressing for dinner, and his writing will be sufficiently plain to make you understand the state of affairs at Arnea at this period.

“Half-past 5 p.m.

“Since I wrote the above, Cragie has informed me that the major had ‘tacked,’ and, he understood from Crawford, was intent upon single combat. Finding that to be his determination, I thought the sooner it was over the better, and therefore desired Cragie to take such steps as he thought best to inform the major what he had done before this morning; that I was perfectly ready and willing to meet him on private grounds whenever he chose. As Cragie, Macpherson, and I were talking the business over, up came Paddy Crawford, and I returned with him from the fort towards my own house. After a short pause, he informed me he had a letter from Major Picton that he must read to me. Being nearer the fort than my own house, I proposed going there immediately and getting a candle in Cragie’s room. He said that was impossible, as he could not

impart the contents of the letter but in private to me. I said I had no objection, but that if the letter contained anything improper for one gentleman to say to another, I should make him answer for it personally, in my private capacity; that I had no secrets; and that every part of my conduct should be perfectly open, and that I would not be concerned in any transaction that wore a different aspect. He then talked of explanations; but I put a stop to all conversation on that head, as I knew the major's demands to be perfectly inadmissible. When we arrived at Cragie's room, I repeated I imagined he had some improper message to deliver to me, which was not the way of proceeding amongst gentlemen, particularly as the major had been told that I would meet him whenever he pleased on private grounds; that I was perfectly ready and willing to go out with Crawford that moment, and requesting to know if he had any demands upon me? After hearing his negative, and a kind of excuse or apology from him, the conversation ended, and I left him with Cragie, with little more to do than to fix a time and place. The deed is done, and to-morrow morning the major wreaks his vengeance on me. The result of the meeting you shall know, either from me or my friend, but I hope from the

former. Should any accident happen to me, I have requested Cragie and Macpherson to explain every part of my conduct in this affair to you, and I trust you will do me that justice you think I merit. I particularly wish that my conduct may be placed in its true light to my friends in England. I shall now say no more, but God bless you, and believe me yours most truly and sincerely,

“HENRY HARVEY ASTON.

“Arnea, 13th at night, or 14th in the morning.”

That Lieutenant Hartley was greatly to blame for showing the private letter he had received from Colonel Aston to others, goes without saying. Apparently, from the “Army List,” he was transferred from the 36th to the 12th, and was acting as quartermaster in place of Mr. Stewart, on leave. He seems, however, to have remained in the regiment after this affair.

Major Allen’s name, however, disappears at once from the “Army List,” and leaves no trace, so presumably he was tried by court-martial and cashiered. That he was placed in close arrest for some offence at the time the following orders show. Presumably he was tried for the mistakes in his accounts Colonel Aston objected to.

“ ORDERS TO THE OFFICER COMMANDING A DETACHMENT DETAILED TO PROCEED TO POONAMALLEE WITH MAJOR ALLEN, OF THE 12TH REGIMENT, IN CLOSE ARREST.

“Camp near Laulput, January 12, 1799.

“You will receive from Major-General Colebrook Major Allen’s sword, which you will deliver over to the officer commanding at Poonamallee.

“You will parade with your detachment in the lines of the 12th Regiment, in the morning at reveillé beating. You will receive Major Allen from the officer of that regiment at present in charge of him, and will proceed upon your march immediately.

“You will pass through Caverypauk,⁷ and from thence to Perambaucum leaving Conjeverum⁸ on your right, and from thence to Poonamallee, leaving Tripasoor on your left.

“You will fix upon such halting-places as may be most convenient to yourself, keeping in mind that it is necessary that you should arrive at Poonamallee as soon as possible. Upon your

⁷ An old town enclosed by a mud wall, between Madras and Arcot.

⁸ A town 27 miles E. of Arcot, and 42 miles S.W. of Madras. It is surrounded by a bound hedge, and takes its name from a pagoda dedicated to Kishna Congee.

arrival at Poonamallee, you will deliver over Major Allen to the commanding officer at that station, taking his receipt for him, and will return to camp as soon as possible by the same route. Major Allen is in close arrest; but you will allow him every freedom which you may think consistent with the safety of his person."

CHAPTER XII.

Duel between Mr. Trevor and Captain — — Misunderstanding about a lady—The quarrel, and challenge to fight across a table—Ruse of the seconds—Small swords taken, and death of Captain — — Lord George Bentinck and Captain Kerr of the 9th Lancers—His lordship's carelessness on parade—Insubordinate reply to Captain Kerr—His lordship, when challenged by his captain, falls back upon the Articles of War, and reports his challenger—Captain Kerr cashiered—Dies of cholera in Paris six months afterwards.

THE following is taken from Steinmetz's "Romance of Duelling" (Vol. II., page 232), but we can find no trace of it either in Millengen's or Gilchrist's works, or in any of the magazines of the period, and we must say it reads more like an extract from a novel than an account of an affair of honour that really occurred. Still, it is not likely the author would have inserted it unless he had some proof of its being genuine, and therefore we also insert it.

"A few days after the battle of Waterloo, Lord — — gave a grand dinner, following a ball on the previous evening, to the same gentlemen whom he

had before entertained. During the dinner the conversation turned on the ball, and when heads began to get warm under the influence of champagne, Lord —— rose and said,—

“‘ My dear friends, I have to propose a toast which will delight you, so fill your glasses to the brim. I propose the health of the greatest beauty we have seen for years. You all know whom I mean—to the health of Miss Maria.’

“ General applause followed, during which Captain —— cast a sly look on Trevor whilst raising the glass to his lips.

“ After the acclamations, cries arose on all sides, ‘ Who will return thanks for her ? ’

“ ‘ Of course her favourite beau ! ’ some one said.

“ ‘ And who is he ? ’ asked another.

“ ‘ Up the favourite ! Trevor is the happy man, no doubt of it ; she danced with him all the evening ! ’

“ Trevor looked triumphant, but some one said, ‘ No, no ; it isn’t Trevor ! The captain is the favourite ! ’

“ ‘ Ten to one,’ said somebody else, ‘ the captain is the man ! ’

“ ‘ Oh ! ’ interrupted an old baronet ; ‘ the fact is the young miss don’t know whom she prefers,

so let's toss up to discover her favourite.' Shouts of laughter followed, except on the part of Trevor and the captain. 'Pon my honour, gentlemen, here's much ado about nothing,' said Trevor; 'but since the thing has been made a serious question, I feel compelled to declare on this occasion that I believe I am beloved by the beautiful Maria, and I alone. I have good reason, I think, for boasting of this conquest. I have got rid of my rival' (turning towards Captain —), although that gentleman's flashing eyes, good looks, and all that sort of thing—'

"'Trevor, don't be insolent!' exclaimed the captain, purpling with rage.

"'Insolent! Heavens! What do you mean, Captain —?'

"'No, no; that's impossible. If any of my words have offended you, my heart disowns the offence, and as we used to say at Rugby, *indictum
puto!*¹ Let it pass. As for my Maria, I am sure of her—positively sure. . . . Oh! it's of no use the captain launching such furious looks at me. . . . Thus, gentlemen, *de jure et de facto!*² I thank you in the name of my charming Maria.' He resumed his seat with a placid smile.

"'You only flatter yourself, Trevor; you are

¹ Consider it unsaid.

² By right and possession.

quite mistaken,' said the captain ; ' you know not what passed between Maria and myself one evening. On my word of honour, she told me she would be glad to get rid of her engagement with you.'

“ ‘ Nonsense, she only said so to make a fool of you, captain. Believe me, that was her only motive, for she *told* me so next morning.’

“ ‘ Next morning ! And who admitted you to her next morning ? ’

“ ‘ That’s my secret, and not yours. Since you wish to know it, I will tell you for your consolation, that since then I have seen Miss Maria every day.’

“ ‘ Trevor, it is base to divulge such secrets, even if it be true. If it be your intention to ruin a sweet innocent creature, I tell you, sir, you are a scoundrel.’ Trevor became pale ; he went up to his rival with a glass half full in his hand.

“ ‘ Yes, sir ; I said so. What then ? ’ said Captain —.

“ ‘ Then you must apologize instantly.’

“ ‘ I am not in the habit of retracting my words. I have no apology to make.’

“ ‘ Then expect none from me ! ’ shouted Trevor, dashing his glass at the captain’s head. The latter quietly wiped off the wine with which his

dress was spotted, and then went straight up to Lord ——, whispering, ‘ My Lord, doubtless you have pistols in the house. This matter had better be ended at once. Have the goodness to do the needful.’

“ We need scarcely state that Lord —— made every effort to arrange the matter, not only on account of his friends, but also on his own, since it would always be an imputation that the quarrel occurred at his table. The parties obstinately refused to be reconciled, and when Trevor was told that the captain was one of the best shots in England, he exclaimed, ‘ Indeed! Then I have only to make my will, for I am almost as blind as a mole;’ then he added with a smile, ‘ Oh, . . . aye, yes, I have it. That will do,’ and turning to the captain, he continued, ‘ Sir, it is said that you always kill your man.’

“ ‘ Yes, sir; what next?’ coolly asked the captain.

“ ‘ Well, you know that I have very bad sight; am almost blind, and not a good shot.’ All were astounded at this declaration, and still more when they saw Trevor was bleeding from the nose.

“ ‘ What are you driving at?’ asked the captain, with a look of contempt.

At 70 //

“‘ Only to make a reasonable request—the equality of arms in the fight. Do you think, my good sir, that I would expose myself to be killed by your pistol, without a chance of doing you the same favour. You provoked this quarrel—your folly has brought this about. I demand that we fight face to face, breast to breast, with only a table between us. Yes,’ he continued, firmly measuring every word, ‘we shall die together, if we are to die; that will be one consolation.’

“‘ Oh, horrible ! monstrous !’ resounded on all sides. ‘ No, no ; we will have no such butchery !’ Most of the guests at once left the room. The captain did not reply.

“‘ Well,’ exclaimed Trevor, with bitter irony, ‘ who is the coward ? ’

“‘ That will be known presently,’ replied the captain calmly. ‘ I accept your conditions, however murderous they are. May a thousand curses fall on your head, and the heads of your family.’

“‘ Are the pistols ready ? ’ asked Trevor coolly. On being answered in the affirmative, the party proceeded to the shooting-room so as not to disturb the family. Some one secretly suggested that the pistols should be loaded without ball, and this was done. The two adversaries, who believed their last hour was come, were as pale

as death ; but if they were a prey to deep emotion, not a muscle trembled.

“‘ Who will give us the signal ?’ asked the captain. In such cases if one fires a second before the other he becomes an assassin. The person who undertook to give the signal said with a trembling voice,—

“‘ Raise your pistols.’

“ The muzzles touched the breasts of the combatants.

“‘ When I count three, fire. One—two—three !’ They fired and recoiled from the shock.

“‘ What’s the meaning of this !’ exclaimed the two combatants. ‘ Who has dared to make fools of us ? There were no balls in the pistols !’

“‘ Honour is satisfied,’ exclaimed the friends around them.

“ Trevor ground his teeth.

“‘ The remedy is easy enough,’ said the captain, pointing to some swords suspended from the wall. He took down two, measured them, and presented one to his adversary, who seized it eagerly.

“‘ Now there shall be no trickery !’ he exclaimed. ‘ Stand off, sir.’

“ They stood face to face, and the blades glistened. The contest was short. One of them

soon fell—it was the captain. He expired without a groan.

“‘Oh, my God!’ exclaimed Trevor. ‘What have I done? Is all this a reality?’ and in terrible despair he flung himself upon the corpse of his rival, which he shook convulsively, as though to bring it to life again.”

At Bagnères, and not long after Waterloo, an unlucky pamphlet found its way into Frescate’s, the conversation-rooms at that watering-place. This pamphlet took about the same view of the Battle of Toulouse as M. Thiers in his writings does of Waterloo, and an Englishman having taken this up and read it, wrote on the margin, “Everything stated here is untrue, for Lord Wellington not only gained a complete victory over Marshal Soult at Toulouse, but the French Army was indebted to his generosity for not having been put to the sword.”

The words were very strong, and only partly true; reason enough at that time for a hot young Frenchman, named Pinac, calling out the indiscreet Englishman. Everything possible was done in trying to accommodate matters, and we are even told that the authorities delicately and considerately interfered, so far as *moral suasion* went. But all these good offices were ineffectual to pre-

vent a meeting between the representatives of the two nations. The poor Frenchman was another illustration of the insufficiency of this mode of adjusting a dispute, for at the first fire he received the Englishman's bullet in his stomach, and died shortly after.

Duelling was undoubtedly a wrong way of settling disputes, still, as society was constituted even fifty years ago, it is difficult to see how, in many cases, an appeal to arms could well be avoided. When one man gave the other the lie publicly, or struck him, or hinted at cowardice in any person with whom he happened to quarrel, the pistol or the sword were really the only redressors. Men, at the same time, often went out more to satisfy the usages of society than from any particularly hostile feeling they themselves held towards each other, and had seconds but done their duty conscientiously, not one half of the duels that happened need ever have taken place.

Some men certainly forced duels upon others, but we know only of one instance where a man having done so, refused afterwards to meet the individual he had insulted.

At the time we refer to, Lord George Bentinck was a cornet in the 9th Lancers, and being the son of a Duke, considered that military discipline

could never be intended for such as he, and although he was a man who expected the utmost reverence from his subordinates to be shown him, yet he was one who objected to pay any respect to his own superiors in the service. Captain Kerr, who commanded the troop Lord George was posted to, in the 9th, was as gallant a soldier as ever drew sword, and a thorough gentleman, who, as in duty bound, did his best to teach the young cornet his duty. This, apparently, his Lordship did not take to kindly, in fact, seemed to feel a pleasure in going quite against the expressed wishes of his captain.

One morning when the regiment was having a field-day under the commanding officer, Lord George was leading the right troop of the squadron Captain Kerr commanded, and as usual was paying little attention to what was being done. Captain Kerr spoke to him twice or thrice about being more attentive to the marching of his troop, of which his Lordship took not the slightest notice. Conduct like that, of course, could not be tolerated, more especially as it all took place in presence of the men, whose discipline was not likely to be improved by such an example as a cornet defying a captain, so the senior called out publicly to the commanding officer,—

“If you do not make this young gentleman behave himself, colonel, I will.”

On which his Lordship quite as audibly retorted: “*Captain Kerr ventures to say on parade that which he dares not repeat off it.*”

As Lord George afterwards did not offer to apologize, or to express the least regret for the highly insubordinate language he had used, Captain Kerr had only two courses open for him to take. He might have placed Lord George under arrest, which would have only resulted in that young nobleman receiving a gentle reprimand, while he would in exchange have got the name of a plucky fellow, and the man he had so gratuitously insulted, been branded everywhere as a coward; the other course was to call his cornet out unless he apologized for the words he had made use of to him on parade.

Naturally Captain Kerr, a North-countryman, as brave as he was cool, sent a friend to Lord G. Bentinck demanding satisfaction, suggested Calais as the most suitable place of rendezvous, and it was arranged that the parties with their seconds should meet there. Lord George, however, failed to keep his appointment, which left Captain Kerr no option but to post his Lordship as a coward at the clubs.

Perhaps Lord George had a very justifiable objection to duelling, but if he had, there was nothing disgraceful, after such an open insult, for him to have made a step towards a reconciliation by withdrawing the word *dares* from his offensive expression. But this he did not attempt to do. He may have been badly advised, and his second may have been more to blame than he, yet if that was the case, the affair, we somehow fancy, would not have ended as it did.

For posting his Lordship, or rather for having challenged him, Captain Kerr was tried by court-martial and cashiered. That he was most unjustly treated, and made to suffer severely through adopting the only course open to him, by reason of the mistaken conventional rules that then prevailed in the army, is what we think any impartial person will admit. He stood as it were between two fires, and for choosing the more honourable way of escape he certainly should not be blamed. But there can, in our opinion, be little doubt that had the man who gave the insult not been the son of a duke, he would have been sent to Coventry, and eventually obliged to leave the service.

We somehow fancy that the Duke of Wellington, who was the Commander-in-Chief at the time, and who was by no means averse to duelling, would

have in a year or so reinstated Captain Kerr to his former position in the army. But, unfortunately, in less than six months poor Kerr died of cholera in Paris.

Dr. Cobb mentions a case where a Mr. Browne owed his life to the smallness of the charge of powder used. "A duel between Captain Nolan and Mr. Browne," says the doctor, "afforded me an opportunity of witnessing a remarkable instance of the numerous cases on record where lives were saved by the stoppage of pistol-balls that hit vital regions. These gentlemen quarrelled about land in the county of Roscommon. The meeting took place near Phibsborough, in one of the then called Bishop's Fields, into which Captain Nolan was carried, as he was very feeble through a chronic rheumatism. I attended him professionally, and they fought at twelve yards' distance. After one harmless round, the captain (notorious for his certain hitting in many previous combats) objected to the small charge of powder in the pistols, remarking that they were mere squibs, and that although he would hit Mr. Browne in the next round, the ball would not do much harm. Accordingly he did hit him, but the ball, after passing along his forearm, was stopped in the coat-sleeve of his elbow, which he had firmly

pressed on his hip-bone in order to steady his hand, a position known to duellists as the '*Kerry safeguard.*' Had the charge held another pinch of powder the ball would inevitably have entered Mr. Browne's liver." Similar escapes are mentioned by Sir Jonah Barrington, who states that in his duel with Mr. Daly the ball was stopped by that gentleman's brooch; and that in his duel with Counsellor McNally the ball glanced off after it struck the buckle of the counsellor's braces. Sir Jonah also relates that the life of Judge Burroughs, when engaged in an affair of honour, was saved by some coins in his pocket.

CHAPTER XIII.

Shipwreck on the Irish coast—Gallant conduct of Major Hillas—Mr. T. Fenton's uncalled-for interference—Duel between Major Hillas and Mr. Fenton's brother: when the former is killed—The Duke of Wellington's staff at Cambray—Private theatricals there—Colley Grattan—The late Mr. Yates and his acting—"Douglas" tragedy performed—The supper after the play—Imitation of all the principal actors of the day by Mr. Yates—Mimics Norval who is present—Coffee and pistols for two—Good-humour restored, and the duel rendered unnecessary—Two officers dismissed the service for challenging their former commanding officer—General order on the subject—Fracas between Captain Gourley and Mr. Westall at Edinburgh—Duel at Queensferry—Mr. Westall killed—Quarrel between Lieutenant Lambrecht and Mr. Clayton—Meeting at the Red House, Battersea—Duel in the dark—Mr. Clayton wounded, and dies the same evening—Trial of Mr. Lambrecht for murder—The surgeon's evidence—Prisoner's statement—Acquittal—Court-martial upon Captain Gough, 1st Life Guards, upon frivolous charges—Captain Gough's brother challenges Colonel Cumac, and the duel takes place on the ramparts at Calais—Colonel Cumac wounded—Disturbance between Captain Chambers and Captain True—Court-martial upon the former and sentence.

TOWARDS the close of the year 1815, that is, in the

month of December, a vessel was driven on shore by stress of weather upon the Irish coast, near to Tiraragh, and close to the residence of Major Hillas, an active magistrate, and known far and wide to be a kindly-hearted young man. On hearing of the disaster he immediately hastened to the spot, in response to his natural inclination even more than to any desire to perform his duties as a justice of the peace. When he reached the stranded ship, he found that the captain had been swept overboard by the waves and drowned, and that the mate and the crew, eleven in number, having lost their chief, had in a great measure lost heart also. The presence of Major Hillas, however, on this dark, stormy night put fresh confidence in mate and men, and it was entirely due to the exertions of the young magistrate that the ultimate safety of the crew and cargo must be attributed.

While Major Hillas was thus laudably engaged, a neighbouring gentleman, Mr. John Fenton, came up, and without any cause or reason for interfering, began to do so in a very overbearing manner. This conduct, which was quite uncalled for, Major Hillas resented, and some words having passed, he threatened that if Mr. Fenton did not immediately leave the ship, he would throw him

into the sea. Mr. Fenton then appears to have left, and Major Hillas remained on board from the 6th to the 8th December, continuing his exertions to save the ship and cargo, when Mr. Fenton returned with a party of yeomanry, and took charge of the property out of the major's hands, with the view of claiming salvage on that portion of the cargo which had been safely got to the shore.

It was in vain Major Hillas remonstrated, though he declared *his* object was not salvage for himself, but to save all he could from the wreck for the benefit of the owners. Being thus frustrated in his intentions, Hillas made a journey to Scotland, where the owners of the vessel were, and having made them acquainted with all the circumstances of the transaction, returned home. Mr. Fenton, who seems to have known where Major Hillas had been, sent him a challenge as soon as he knew he was back, but this message the major declined to accept until the matter in dispute was settled.

An investigation as to the right of salvage afterwards took place, during the course of which Major Hillas complained that he had been most unhandsomely treated by Mr. Fenton, who had most unjustifiably interfered, and by taking the

matter out of his hands secured to himself, in a very questionable manner, the legal custody of the vessel. Four days after the close of the investigation Mr. John Fenton called on Major Hillas and delivered a challenge from his brother, Mr. Thomas Fenton, which the major felt bound to accept. When he arrived on the ground there was, as was very often the case in Ireland at that time, a crowd assembled to see the sport. The major, after he had taken his ground, addressed the bystanders as follows : "I am sorry the mistaken laws of honour oblige me to come here to defend myself ; and I declare to God I have no animosity to man or woman on the face of the earth." Major Hillas appeared to have anticipated the fatal result, as he had dressed himself in a full suit of mourning. He was shot dead the first fire, and although Mr. Fenton was afterwards tried for the capital offence, he was acquitted by the jury.

Lord William Lennox relates, in his "Drafts on my Memory," how a quarrel, which seemingly could terminate in nothing but a duel, was settled satisfactorily to all parties without having recourse to the usual "pistols and coffee for two." Lord William was on the Duke of Wellington's staff during the occupation of France by the Allies,

and when at Cambray, where the English headquarters were for a time, the young fellows there scarcely knew what to do to keep themselves employed. At last they thought of theatricals. Lord William himself, as is well known, was an excellent amateur actor, while there was also then at Cambray a young officer of the commissariat department, who afterwards left the army and adopted the stage as a profession. This was the late Mr. Frederick Yates (father of the editor of the *World*) for many years one of our most popular and accomplished theatrical performers, as well as the lessee of the Adelphi Theatre. Lord William tells how “Yates and Matthews (the elder) once visited Mont St. Marthon and gave there an entertainment, while Colley Grattan, the author of ‘Highways and Byeways,’ created such a *furore* at Valenciennes as to attract the attention of the Duke. Grattan, it appears, was on a visit to his brother, who was an officer of the Connaught Rangers, and came out in ‘Caleb Quotem.’” . . . “Grattan’s brother was one of the theatrical company of the garrison, which, besides himself, numbered Cole of the 21st Fusiliers, Colonel Macgregor of the 88th, and Mr. Pringle of the 81st, Colonel Marlay of the Royals (who was appointed manager), and

the services of three professional ladies were retained."

After having spoken of Yates's acting, and his subsequent career on the stage, the author adds: "Yates was as kind-hearted a creature as ever lived, a clever and versatile actor, and a most agreeable companion."

On one occasion, however, these qualities in Mr. Yates, according to Lord William, were rather severely tested. One evening, when Yates and he were at the Valenciennes garrison mess, the play of "Douglas" was being got up for the purpose of bringing forward Cole in the part of Young Norval. This proved afterwards a success. "Cole acted the youthful shepherd-boy well, recited the hackneyed speech with due emphasis, spoke manfully when assailed and taunted by Glenavon, and produced quite a sensation in his dying scene."

After the performance was over they all, Norval and his friends included, proceeded to the 88th (Connaught Rangers) mess, where punch galore came on after supper, and songs and glees bore famously its company. Yates, when called upon for a song, gave one of Charles Matthew's popular ditties, introducing imitations of London actors. "Braham's *enthusymusy* style, Incledon's powerful

voice, Sinclair's falsetto, Munden's grimace, Downton's laugh, Jerry Sneak Russell's hen-pecked tones, Emery's Yorkshire dialect, Knight's rustic twang, Kemble's majestic declamation, Young's classical delivery, and Edmund Kean's passionate eloquence, were all hit off to perfection, and an enthusiastic encore followed. The mimic, excited a little by the applause and partly so by the arrack-punch, thought he would introduce a new feature when called upon for a repetition, by bringing in the styles of some of the company present. So he gave a verse of 'How happy could I be with either,' after the manner of the immortal Joe Kelly. He sang a verse of 'The Bould Dragoon' in a way that surprised Sim Fairfield, who had sung it himself but half an hour before. He introduced one of Mead's ballads true to life, and, carried away by the cheers that followed, he touched on dangerous ground. Throwing himself into the attitude of Young Norval, he shouted forth the lines:—

“‘A low-born man, of parentage obscure,
Who nought can boast but his desire to be
A soldier, and to gain a name in arms.’

“The effect was electric. There could be no doubt but it was the happiest imitation imaginable. . . . I was sitting next to Fairfield, who quietly

checked my laughing, adding *sotto voce*, 'By the tutelar saint of Ireland this will be no laughing matter,' and, drawing my attention to Cole, who was looking very serious, added, 'Coffee and pistols to-morrow morning at daylight. He will parade him twelve paces on the daisies as sure as my name's Sim Fairfield.'

"An effort was made to continue the harmony, but it was a failure. Meanwhile Cole had risen from his seat, and as he passed Yates's chair, said in a low, firm voice, 'You shall hear from me.' A few moments after one of the party (an 88th man) was called out of the room, and Yates, making a sign to Fairfield followed shortly afterwards. During their temporary absence all attempts at hilarity failed; for every one felt that two fine young fellows were about to risk their lives for an unpremeditated jest. What occurred at the conference I know not; but a general cheer burst forth spontaneously from the assembled party when the belligerents and their seconds re-entered the mess-room in friendly converse. Mutual explanations had taken place, and the honour of neither party had suffered the slightest blemish."

With respect to duelling in the army, the following summary of a General Order, dated Horse Guards, April 5th, 1819, may be interesting. It

appears that Lieutenant Thomas Hasker and Ensign Ring went upon half-pay, and challenged their commanding officer, Lieutenant-Colonel Fredericks, and for so doing were punished by having their names struck out of the Army List. The name of Lieutenant Richard Lambrecht, who took the challenge from Ensign Ring to Lieutenant-Colonel Fredericks, was likewise erased from the list of the army.

The General Order continued: "The Commander-in-Chief has received the Prince Regent's commands to promulgate to the army the above declaration of his Royal Highness's pleasure on the subject of Lieutenant Hasker, Ensign Ring, and Lieutenant Lambrecht, in order that officers on half-pay may be sensible that, whenever they do so far forget their duty as to give vent to personal animosity and resentment against their former commanding officer on the ground of his conduct towards them in his official capacity during the time they were serving under his command, they will not fail to draw on themselves the Royal displeasure, to the same extent as is thereby expressed against the individuals to whom this order especially applies."

At the Doncaster races in September, 1824, Mr. Westall lost a bet of seventy guineas to Captain

Gourley, who also at the same time lost a bet to a friend of Mr. Westall's. Captain Gourley and Mr. Westall met at the "Black Bull" inn, Leith Street, Edinburgh, on the 30th October of the same year, and recognized each other with apparent friendship. After some conversation, the captain reminded Mr. Westall that he owed him seventy guineas since last Doncaster meeting, which that gentleman at once acknowledged, he adding, however, that his friend, to whom Mr. Westall owed money, had authorized him to set off the one bet against the other. This may have been unsportsmanlike, but it can scarcely be called unfair, unless Captain Gourley had settled *his* debt, of which, however, there is no proof, or even an assertion that he had done so.

An altercation ensued; the captain applying the term "swindler" to Mr. Westall, which that gentleman retaliated by calling the captain a liar. On this the captain snatched up the poker, and made a blow with it at Mr. Westall's head, which it fortunately missed; but the blow fell on his shoulder with such force that the poker snapped in two, and Mr. Westall fell to the ground insensible. On recovering, Mr. Westall went into the coffee-room, where after much more warm language a hostile meeting was agreed upon for

the following morning.. They accordingly met, attended by their seconds and surgeons, near South Queensferry, at the time appointed, and crossing over to North Queensferry, in Fifeshire, where having selected a piece of ground and arranged all preliminaries, they took their stations, when Captain Gourley, after receiving Mr. Westall's ball, fell dead on the spot.

It would not be easy in the present day to point out the part in Battersea Fields where the Duke of Wellington and Lord Winchelsea exchanged shots, and it would be far more difficult to discover exactly where the duel (which terminated fatally) was fought in the same locality, between Mr. Lambrecht, formerly of the 43rd Foot, and Mr. Oliver Clayton, a literary gentleman from Ireland. The quarrel took place at Wood's Hotel, Panton Square, on the evening of January 7th, 1830, during a discussion respecting the Roman Catholic Emancipation Bill, of which Mr. Clayton, who had renounced that faith, was a warm opponent. During the discussion, Mr. Lambrecht called Mr. Clayton a hypocrite, and that expression not being withdrawn, brought on the duel, which was arranged to take place near the Red House in Battersea Fields early the following morning.

Long before daylight Mr. Lambrecht, attended by his second, Lieutenant Cox, was at the place appointed, where they were soon joined by Mr. Clayton ; his second, Mr. Bigley, having preceded him. It took but a short time to load the pistols, step out the twelve paces, and place the principals in their positions. It was only a little after six when all this was accomplished, and when it is remembered that the duel took place on the 8th of January, at a time of the year when the sun rises about 8 a.m., and sets about 4 p.m. in London, we cannot avoid coming to the conclusion that this duel was not altogether fairly conducted ; for unless the moon had been shining at that hour, which it was not, the affair must have taken place in the dark. After a short conversation the signal was given, and they both fired together, Mr. Clayton ineffectually, but his adversary's ball passed through his body, when he immediately fell. Mr. Clayton was conveyed to the Red House, where he died at seven the same evening.

The jury who sat on the body brought in a verdict of " Wilful murder " against Mr. Lambrecht, the principal, and Lieutenant Cox and Mr. Bigley, the seconds, and the coroner's warrant was issued for their apprehension. On Wednesday, the 13th, Mr. Lambrecht, who had surrendered himself,

was brought to Union Hall for examination. It appears that after the duel the unhappy man returned to town, but withdrew from his usual residence, fearing that he should be discovered, and wandered about the streets for three days and nights. On Tuesday evening, being quite exhausted, he went into a public-house, where he drank to excess, and then gave himself up to a police officer. After making the statement which will hereafter be given, Mr. Chambers, the magistrate, told him that it was a most serious business, and that he must prepare himself for the worst, as the law would be carried to the fullest extent. The parties were all committed to prison to take their trial for the offence.

This took place at Kingston Assizes, on the 2nd of April, before Mr. Justice Bayley. After Mr. Gurney had stated the case for the prosecution, Mr. Powell, surgeon at Battersea, gave the following evidence:—

“ On the morning of the 8th of January last, I received a communication which induced me to go out shortly before seven o’clock. I went to the back of the Red House, Battersea, and found there but three persons, one of them lying on a board wounded, with a coat or cloak over him. The wounded gentleman was taken into the house,

and laid on a bed. I found him wounded on the right side of the belly. It was a small wound, into which I could have passed the point of my finger. There was a wound also on the left side. There was nothing to enable me to say it was a gunshot wound, had I not known it from other circumstances ; but it might have been produced from a bullet passing through the body. I immediately pronounced it to be a mortal wound. My answer to the inquiry of the wounded gentleman was that it must prove mortal. He asked me how long I thought it probable he might survive. I told him I could not speak positively, but I should suppose he could not survive more than twelve hours.” The deceased, after having seen a clergyman, “begged that there might be no prosecution, and said that everything had been conducted fairly and honourably, and that he was to blame in being so obstinate as to refuse the apology which had been offered to him.” Several other witnesses were examined, but their evidence threw no further light on the affair. The following statement, signed by the prisoner, was then put in and read :—

“What I state is the whole truth. I was acquainted with Mr. Clayton. I saw him receive a horsewhipping, which he did not resent. I men-

tioned it to Mr. Clayton on Christmas evening last, and after that he sent me a message, to which I returned another by Mr. Odell. Another person nearly a fortnight after took it up, and was my friend in the business. After that the meeting took place, and Mr. Byrne, when on the ground, came up to me and said, 'Is it come to this?' and I said I would make a written apology to no man. After the business took place, I went up to Mr. Clayton and shook hands with him; and he said, 'I forgive you, my dear friend, I forgive you.' The message to me by Mr. Odell was from Mr. Clayton; but Mr. Odell advised Mr. Clayton not to fight, refused to have anything to do with it, and was not on the ground. I offered an apology through my friend. I said I regretted what had taken place; that the words were uttered in a moment of intemperance; and that I was willing to apologize, which was refused by the other party. I sent this message through my friend. The answer I received was, that it must proceed, as nothing would be taken but a written apology. As far as I knew about the business, both our pistols went off about the same time. It was a chance shot, as it was dark, and we could not see."

Several witnesses were called who had long

known the prisoners, and described them as persons of a humane and peaceable disposition. After the judge had summed up, and given his opinion that a verdict against the prisoners should be returned, the jury retired, and after deliberating three hours and a half, gave a verdict of "*Not Guilty.*"

On the 15th January, 1821, a general court-martial assembled in the mess-room of the 1st regiment of Life Guards at Knightsbridge barracks, for the trial of Captain G. C. Gough of that corps, who was brought before that tribunal upon six charges preferred against him by his commanding officer, Colonel Cumac. All the charges seem to be trumpery ones, five of them having reference to the payment of a debt to the mess-waiter, a man named De Costa, and the sixth and additional charge was for going on leave the year before without having left his address with the adjutant. The court, we need scarcely say, acquitted Captain Gough of all these charges; and, as he could not challenge his superior officer without risking his commission, his brother, Richard Gough, sent a hostile message to Colonel Cumac; and the following is an account of the duel, taken from the *Military Register* for March 21, 1821:—

"A meeting took place on Saturday last"

(March 17th), “on the ramparts of Calais, between Lieutenant-Colonel Burgos Cumac, 1st Life Guards, and Richard Gough, Esq., brother of the officer at present in command of that corps, whose extraordinary trial and honourable acquittal we lately gave in this paper. The cause, however, had no relation to that trial,¹ but we apprehend was owing to some whispers which have been long afloat, unfavourable to the most delicate point in a soldier’s character, and which must now be for ever at rest.

“The parties left London early last week, and we believe the intended rendezvous was Boulogne. The wind, however, not being fair, it was arranged by both parties to lose no time, and in consequence they met at seven o’clock on the morning after their arrival at Calais.

“Colonel Cumac was attended by his relation, Lieutenant Newburgh, and Mr. Gough, we believe, by Captain Melville, or a similar name. This gentleman obtained the chance of choice of ground. The parties fired together at a signal given by

¹ This must be taken with the proverbial grain of salt. It is not likely Mr. Gough could have taken up his brother’s quarrel with Colonel Cumac openly; but he could easily enough bring about a meeting by imputing cowardice to that officer, which we think was the course followed.

mutual agreement by another friend of the former.

“The first fire was without effect, when Mr. Gough’s second interfered, and used all proper means to produce an amicable arrangement, which, however, could not obviously take effect, unless Mr. Gough made an ample apology in writing, which he of course utterly refused to do.

“They then fired a second time, when Colonel Cumac received his adversary’s ball in the calf of his left leg ; the second of Mr. Gough immediately bandaged it, and the colonel with great gallantry attempted to walk off the ground, but after moving some paces could get no further. He was then carried away by some French soldiers who witnessed the affair.

“Nothing, we understand, could have been conducted in a manner more honourable to all parties. The principals acted with the utmost spirit, and as perfect gentlemen ; the seconds as perfectly acquainted with their duty, and the individual who attended besides with the most correct honour.”

On the 2nd of November, 1810, a general court-martial assembled at Montreal for the trial of Captain Peter Latouch Chambers, of the 41st Regiment of Foot ; the first charge being for

having on the 1st of the previous month used most reproachful language in the mess-room at Montreal to Captain True, the mess-president. A second charge accused Captain Chambers of pulling Captain True's nose; and about these the Court came to the decision that the prisoner was guilty of the first charge, except that he did not call the prosecutor a "d—d rascal," about which there was not sufficient evidence. With respect to the second charge, the Court did not consider the act of pulling Captain True's nose had been satisfactorily proved, but found the prisoner guilty of raising his hand to the other's face (rather a nice distinction), and sentenced him "to beg Captain True's pardon, and further to be suspended from rank and pay for three months."

We mention this to show that although at that time the Articles of War were particularly strict against duelling, or of officers striking or threatening to strike a brother officer, or of making use of reproachful language one to another, yet it could all be done nearly with impunity.

CHAPTER XIV.

Court-martial on the Quartermaster of the 4th Dragoon Guards—Captain Fottrell's remarks thereon to the *Morning Post*—Duel between Colonel Ross and Captain Fottrell—Strange conduct of Lieutenant Ruxton, 69th Regiment—Court-martial subsequently held on that officer—Severe sentence—Hostile meeting between Major-General L. Moore, C.B., and Miles Stapylton, Esq., on Wimbledon Common—Evidence of Mr. Harris—The late General Sir De Lacy Evans' duel with Captain Lothian Dickson—The cause thereof referred to the Committee of the Junior United Service Club—General Evans' honourable conduct—Letter from General the Marquis of Londonderry to Mr. Henry Grattan—Substance of Mr. Grattan's answer—Lord Londonderry's reply thereto—The duel—Hostile meeting between Mr. Fraser, 7th Cavalry, and Mr. Rose, of the 11th Dragoons—Quarrel between Lieutenant Mitchell and Lieutenant Whistler, 72nd Regiment, N.I.—Extraordinary conduct of Mr. Mitchell, and subsequent court-martial—Action at law brought by Miss Polhill against the Rev. John Macqueen—Remarks thereon by Captain Sewell—Mr. Stocqueler's public criticism of the same—Duel between Captain Sewell and Mr. Stocqueler—Meeting between Lieutenant Finch, 20th Dragoons, and Lieutenant Boileau, 41st Regiment—Singular quarrel between Lieutenant Green and Mr. Benjamin Price—Action taken by

Mr. Green's brother officers—Private practice of Mr. Green, and challenge to Mr. Price—Fatal duel—Captain Wilson remarks about the duel in New York afterwards—Mr. Stephen Price's challenge to Captain Wilson—Duel between those gentlemen, and death of the latter.

ABOUT the close of the year 1817, Captain White, of the 4th Dragoon Guards, brought several serious accusations against the quartermaster of the regiment for overcharges to the men for necessaries supplied, and the latter, being brought before a court-martial, was after a long trial acquitted. We need not here further refer to the trial, and have only named it because it was in consequence of something that happened during the proceedings of the court-martial that a duel took place between Lieutenant-Colonel Ross (regimental major), of the 4th Dragoon Guards, and Captain Fottrell, R.M. The facts of the case appear, according to the Dublin papers, to have been as follows :—

Colonel Ross being in the Royal Barrack yard, Dublin, on Friday, the 19th of December, 1817, leaning on the arm of Lieutenant-Colonel Pelly, 17th Lancers, saw approaching him Lieutenant Faulkner, recently of the regiment, who had been summoned as a witness at the court-martial on Quartermaster Jolly, then sitting. Colonel Ross,

having received him, said, "I find, Faulkner, you have come up as one of the tailors;" and as he went away with Colonel Pelly (a member of the court), added, "I must cut you," and accordingly, on the following day it appeared to Mr. Faulkner that Lieutenant-Colonel Ross did so cut or avoid him.

When Mr. Faulkner gave his evidence afterwards on the trial, he noticed many sarcastic remarks passed upon what he said, and he called the attention of the court to this treatment at a subsequent period of the investigation. Getting no satisfaction, he continued in the most respectful manner to inform the Court (having at the time a horse-whip in his hand) that "Colonel Ross and those who know me are aware that the appellation of 'tailor' could never attach to me, unless a man by his impertinence forced me to make a measure of my whip for his jacket."

This retort, pretty much to the point we must allow, was made in presence of an auditory that filled the large room in which the court-martial was held, and was deemed by Captain Fottrell worthy of preservation, so he sent it with other news to the *Morning Post*, and it appeared in the issue of that newspaper for the 30th of December, 1817.

Then, and not till then, did Colonel Ross apparently find Mr. Faulkner's public remark offensive to himself, but instead of calling out the man who had used the words before an open and crowded court of justice, he sent a hostile message to the man that had caused these words to be published. They met on the "Fifteen Acres," in the Phœnix Park, on the 5th of January, 1818, and fired four shots each without taking effect on either side, when, as Captain Fottrell said he knew nothing of Colonel Ross, and had sent the particulars to the *Morning Post* without malice, the affair terminated.

A curious court-martial was held at Bangalore on the 3rd of October, 1816, when Lieutenant William Ruxton, of the 69th Regiment, was tried for having, about the middle of August, "kicked and struck Lieutenant Mulligan, of the same regiment, while spending the evening together in his own tent." That was the first charge, and it appears all right until we come to the second part of the indictment, which charges the prisoner with "scandalous and infamous conduct in the following instances :—1st, for associating with that officer (Lieutenant Mulligan) although the insult had not been noticed ; and 2nd, for making public the circumstances to the prejudice of

Lieutenant Mulligan's character, after the apparent reconciliation."

The Court found Lieutenant Ruxton guilty of the first charge, adding, "but that he was impelled to strike the late Lieutenant Mulligan in his own defence," and found him guilty also of associating with Lieutenant Mulligan, but acquits him of the remaining portion of the charge." The sentence was dismissal from the army,—a very severe one for what was in reality a most trifling offence, as Lieutenant Ruxton, when he struck the other, had only acted in self-defence; and as it was a matter known only to themselves, and a reconciliation had taken place, little blame could be attached to the prisoner. There might, however, be something more in this than meets the eye. The charge speaks of "the *late* Lieutenant Mulligan," so possibly after all there was a duel, when Lieutenant Ruxton shot his brother officer, which might account for so heavy a sentence.

On the 13th of February, 1832, a hostile meeting took place on Wimbledon Common between Major-General Lorenzo Moore, C.B., and Miles Stapylton, Esq. The General was brought on the evening of the same day to the Union Hull Police Office, and charged with having wounded Mr. Stapylton, but the cause of the quarrel is not stated in any

of the journals. All that was known at the time and afterwards was limited to the evidence of Mr. David Harris, who stated, "That as he was proceeding to Godalming on the outside of the stage-coach about four o'clock on the day named, he, as they were passing the road which crosses Wimbledon Common, heard the report of a pistol, and on looking towards the spot saw a gentleman fall. He and Mr. Self alighted and ran to the place. Seeing the gentleman lying on the ground and blood upon the breast part of his shirt, they went towards the General, who had a pistol in his hand, and told him he must consider himself in custody. The General offered no resistance. In the meanwhile the seconds and some other persons carried the wounded gentleman off the field, placed him in a carriage, and drove towards town. The witness and Mr. Self conducted the General to Kingston and gave him in custody of a constable, who brought him to town. On the following day he was again brought up, and was much affected at hearing a certificate of the dangerous condition of Mr. Stapylton read. Bail to any amount was offered for him, but refused. On the 22nd he was again brought before Mr. Chambers, and, as Mr. Stapylton was reported better, bail was then accepted, and

General Moore left the court with his friends. No further proceedings were taken against the General, so far as we can ascertain.

The late General Sir De Lacy Evans having quarrelled, when in command of the British Auxiliary Legion in Spain, with Captain Lothian Dickson, late of the Legion, refused to meet or associate with the latter in England. As they were both members of the Junior United Service Club, the committee of the club decided to investigate the matter, and after so doing they came to the conclusion that no stain rested on Captain Dickson's character, in fact that he had not been guilty of any act which would have caused him to forfeit his claim to be considered and treated as a gentleman.

The ground having been cleared so far, General Evans could not now refuse to give Captain Dickson satisfaction, so a meeting, after some negotiations, took place on the 8th of April, 1826, at Wormwood Scrubs. The following is the account of the affair given by General Evans's second, and borne out by Mr. Cooke, the friend of Captain Dickson.

“ The meeting took place, and the principals being placed, General Evans received Captain Dickson's fire, when after an interval of a few

seconds General Evans brought down his pistol and uncocked it without having fired. Upon which I addressed myself to Mr. Cooke, and said, 'I have now to say that, in deference to the opinion of the committee of the Junior United Service Club, I have brought my friend here, and having now paid that deference to those gentlemen I feel it my duty to withdraw General Evans from the ground.' Mr. Cooke then said, 'I am not satisfied,' and again made allusion to an apology. I persisted in withdrawing General Evans without further explanation, and on leaving the ground he then only informed me of his being wounded, and on his return to his hotel he was attended by Sir Stephen Hammick, who extracted the ball, and left his patient in as comfortable a state as under the circumstances could be expected."

And that is just what one might expect the grand old fellow to do, for was he not the man who, when he heard of the Russian attack at Inkerman on the 5th of November, 1854, jumped out of a sick-bed, and mounting his horse, galloped off to the point of danger, and remained in the thickest of the fighting, until the enemy's troops were driven back into their fastnesses in the heights beyond the Tchernaya?

The duel of General the Marquis of Londonderry with Mr. Grattan, on the 13th of January, 1839, caused some sensation at the time, for in England, forty-three years ago, duelling was going very much out of fashion, though it still flourished in full vigour in India and other colonies of the British Empire. It was in consequence of some expressions which were made use of by the Marquis of Londonderry in the House of Lords, when referring to a speech reported to have been made by Mr. Henry Grattan at a public meeting in Dublin, that this duel was fought. Mr. Grattan, seeing the Marquis's speech in the papers, addressed a letter of inquiry to him, to which the following answer was returned :—

“Holderness House, January 12th.”

“Lord Londonderry presents his compliments to Mr. Henry Grattan. Lord Londonderry read in his place in the House of Lords an extract from the reports in the newspapers of a speech of Mr. O'Connell's, stated to have been made at a public meeting in Dublin, to address the Queen, in which accusations were made against that party to which Lord Londonderry is proud to belong. The paragraph Lord L. cited is as follows :—‘Mr. Grattan had said that her Majesty's life would not be safe if the Tories came into

power; and he (Mr. O'Connell) declared solemnly he was convinced she would not live six months if that event took place.' Lord Londonderry at once admits, if these sentiments are accurately reported accusing the Tory party of the intention of murdering the Queen, he considers them as base and infamous. It was to such accusations Lord Londonderry's epithets applied."

In a second letter Mr. Grattan begged to remind his Lordship that he was not accountable for any opinion or expression in Mr. O'Connell's speeches. As he had not alluded in any speech of his to Lord Londonderry, he requested his Lordship would say whether he intended that the words "base" and "infamous" should be applied to him?

In reply to this letter, Lord Londonderry observed that, unwilling as he should be to fix upon any individual the responsibility of having uttered such sentiments as those reported in the public accounts of the meeting to which he alluded, he must adhere to the opinion he had already expressed, as applying to any individual who was prepared to avow such language. The epithets complained of were, he said, applied not to individuals, but to injurious accusations reported to have been publicly uttered against a political

body; and, since there was no disavowal on Mr. Henry Grattan's part of the language and sentiments reported to have been used, Lord Londonderry regretted he could not recede from the opinions he had already expressed.

In consequence of this correspondence a meeting was arranged, which took place the following day (the 13th) at three o'clock, on Wimbledon Common. Upon the signal being given, Lord Londonderry received Mr. Grattan's fire, and then he himself fired in the air. Mr. Bodkin, on the part of Mr. Grattan, at once expressed himself perfectly satisfied, and the affair terminated.

Although, as remarked, duelling was a plant that was gradually dying a natural death in England when her present Majesty ascended the throne, it still flourished in India in all its original might. Duels were, in fact, so common there, that the description of an affair of honour occupied but little space in the Indian newspapers or periodicals of the day. For example, the *Asiatic Journal* for January, 1837, informs the public that "A hostile meeting took place recently at Simla, between Mr. Fraser, of the 7th Cavalry, and Mr. Rose, of his Majesty's 11th Dragoons, in which the latter gentleman was wounded in the thigh, and so seriously as to fracture the

limb ;" and although we have searched elsewhere, we are unable to find any further particulars of the duel. Where we have been more successful the full details are given, as the description of the different duels in India that we have given an account of will show, as also the three that follow.

On the night of the 16th of March, 1839, Lieutenant Henry James Mitchell, of the 72nd Regiment of Native Infantry, went into the station billiard-room at Allahabad, and inquired for Lieutenant Whistler, with whom he had previously quarrelled. There were a number of officers present, and failing to find the man he was seeking for, he gave vent to his feelings by calling Lieutenant Whistler a coward, a blackguard, besides making use of other insulting expressions. Lieutenant Stephen Nation, who was also present, then said he would inform Lieutenant Whistler of what the other had said so publicly about him, when Mr. Mitchell at once turned upon Mr. Nation, telling the latter he would apply the same expressions to him, unless that night he brought a hostile message from Lieutenant Whistler.

It appears Mr. Nation had been asked before to bring a hostile message from Lieutenant Whistler, but refused to do so, and he now again

refused in the billiard-room to convey it or to be any party thereto. As Mr. Mitchell continued his abuse, Captain Abbot, who was then in command of the 72nd Native Infantry, ordered his pugnacious lieutenant under arrest, and he was accordingly marched to his quarters a prisoner. He, however, had not been long away before he returned to the billiard-room, and recommenced abusing Mr. Nation, and had again to be taken away.

The extraordinary part of this business is, that if Mr. Mitchell was so anxious to go out with Mr. Whistler, why did he not send a challenge himself to the latter? But he insists that Lieutenant Whistler shall be the challenger. The duel did not, however, come off, owing to Mitchell having been brought to a court-martial upon two charges—the first, "For conduct unbecoming the character of an officer and a gentleman" when in the billiard-room on the night stated; and secondly, "For insubordinate, unofficer-like, and disorderly conduct" in returning to the billiard-room after being placed in arrest; and being found guilty of both charges, was sentenced to "suspension from rank, pay, and allowances for six months."

Not at all a heavy sentence, any one would

suppose; yet the Court evidently considered it was, as the following recommendation was attached to the proceedings:—"The Court, taking into consideration the contrition the prisoner has expressed, and the excitement of mind under which he was labouring from a sense of the injury which he believed himself to have received from the prosecutor, would respectfully recommend his case to the favourable consideration of the Commander of the Forces."

That Mr. Mitchell had a good excuse for his conduct is evident from Major-General Ramsay's remarks upon the case, from which it appears that the prisoner had faithfully promised to overlook the past, whatever that might have been. The General says:—"In consideration of the recommendation of the Court, the Commander of the Forces is pleased to remit that part of the sentence which adjudges Lieutenant Mitchell to be suspended from 'allowances,' but a regard of what is due to discipline and the peace of society forbids him to remit the whole sentence. Lieutenant Mitchell has been convicted of a flagrant breach of duty as an officer and a gentleman, in the absence of any immediate provocation, and in violation of an oath by which he had bound himself not to resent the injury which

he believed himself to have received from the prosecutor."

In January, 1837, a Miss Polhill, then an orphan and ward in an asylum at Kidderpore, brought an action for libel against the Rev. John Macqueen, secretary and chaplain of that institution, and she obtained three hundred rupees damages. In India, where news even now is scanty, and forty years ago much more so, anything like a trial for libel in which Europeans were concerned, excited great interest amongst the remainder of the community. Some of course took one side, and some the other side, and Miss Polhill's case was no exception in this respect to the rule. The papers published different accounts of the trial, which caused the accuracy of the reports to be impugned, and many bitter letters appeared on the subject. Among others who rushed into print was a Captain Sewell, who expressed himself as follows:—"There's treason in the Court of Denmark! The idea of hungry girls turning up their noses at *dhal bhat*! Why, I very often dine off it myself, and very good wholesome food it is. *In medio tutissimus*—my memory fails me, and the last word has flown—expresses my opinion, and accords with Captain Birch's middle course. . . . If the taste of the young ladies is so

strange that they fix always on the same dish, I would propose to give one day all beef, the next all pudding, and so on."

The *Englishman*, which was then edited by Mr. Stocqueler, in its remarks about the affair, declared Captain Sewell's opinion "to be as disgusting a piece of tomfoolery as the army would desire to see exhibited in the deliberations of a committee, to whom the interests of the orphan children of officers have been committed;" the writer adding, "*Dhal bhat*, forsooth! The gallant captain seems to forget that though he may live upon *congee water*¹ or any other trash, if it pleases his palate or his notions of thriftiness, yet it is not exactly the description of food which growing children require, or such as a more equitable division of the orphan funds would entitle them to receive."

The foregoing appeared in the *Englishman* of the 24th of January, 1837, and the same day Captain Sewell, accompanied by his friend, Captain Hawkins, waited upon Mr. Stocqueler, and demanded that he, as the editor of the paper, should make a public apology for the insertion of the paragraph reflecting on Captain S.; in short, to

¹ The water in which rice has been boiled.

retract all that had appeared. This Mr. Stocqueler distinctly refused to do, although ready to give the captain satisfaction, and consequently a hostile meeting was arranged for the following morning. Accordingly the parties met at Howrah at the time appointed, daybreak; Captain Sewell being attended by Captain Hawkins, and Mr. Stocqueler by Mr. Buckland. Captain Hawkins having won the toss, he stepped out the ground, twelve paces, when the principals took their places. Captain Sewell having fired first without effect, Mr. Stocqueler discharged his pistol in the air, when Captain Hawkins on behalf of his friend expressed himself satisfied, and all returned to Calcutta.²

The editorial chair of a journal in India at the time we refer to was not exactly a haven of peace, for this was but one of the many quarrels Mr. S. was obliged to engage in, and that ended with coffee and pistols for two.

² Mr. Stocqueler was scarcely clear of this duel when he was challenged by a Mr. Osborne, for having criticized his performance in some amateur theatricals. As a horsewhipping was also threatened, Mr. S. inserted the following advertisement in the *Englishman*:—"Wanted, an Irishman, six feet high, and rather broad in the shoulders. His business will be to answer in person impertinent notes addressed to the editor of the *Englishman*. Salary 400 rupees *per mensem*, and find his own shilelaghs."

A meeting took place on the 9th of January, 1818, at Calais, between Lieutenant Finch of the 20th Dragoons, and Lieutenant Boileau, on half-pay, of the 41st Regiment. Lieutenant Finch had been bound over on the 4th of the month to keep the peace in England, in consequence of which he and his friend, Captain Butler, proceeded to Calais, where they were joined by Lieutenant Boileau and his friend, Lieutenant Hartley. It was settled by Captain Butler previous to Lieutenant Finch taking his ground, that he was bound in honour to receive Lieutenant Boileau's fire, as he had given so serious a provocation as a blow. This arrangement was, however, defeated by Lieutenant Finch's pistol accidentally going off, apparently in the direction of his opponent, which would probably have led to serious consequences had it not been for the implicit reliance placed by Lieutenant Boileau's friend on the strict honour of Captain Butler, whose anxiety, steadiness, and gentlemanly conduct on this and every other occasion were too well known to leave a doubt on the minds of the opposite party that the anticipated fire was entirely accidental. A reconciliation having taken place during the discussion, the affair happily terminated without any further recourse to firearms.

A singular and fatal duel was fought some years ago in New York by the late Stephen Price, well known in England as a former lessee of Drury Lane Theatre. The following is an account of the affair taken from American papers:—

Benjamin Price was a well-to-do tradesman at Rhinebeck, and was considered the handsomest of his family; though his brother Stephen was not a man to be despised, either as regards good looks or abilities. Benjamin one evening had escorted a very pretty woman to the theatre, when during the performance a British officer in an adjoining box took the liberty (?) of staring her full in the face. She complained of it to Ben Price, who on its repetition seized the offender by the nose with “his finger and thumb, and wrung it most effectually.”

The officer left his box and went to Ben Price’s. Ben in answer to a knock opened the door, when the officer, whose name was Green, asked Ben what he meant, remarking at the same time that he meant no insult to the lady. “Oh! very well,” replied Ben, “neither did I mean to insult you by what I did.” Upon this they shook hands as sworn brothers, and some time after Mr. Green went to Canada to join his regiment.

The facts of the affair, however, had reached

Canada before Mr. Green did, and of course got noised about. An officer of his regiment, having a pique against him, was particularly active in airing the scandal, and brought the matter so strongly before his brother officers, that one of them, a Captain Wilson, insisted upon Green being ostracized unless he went back to New York immediately and challenged Price. Green, however, being no shot, he was allowed time to get up his pistol practice to a favourable standard, and having practised for five hours daily, until he could hit a dollar at ten paces nine times out of ten, he then came to New York and challenged Ben Price.

They fought at Hoboken, Price being killed at the first fire. The seconds immediately decamped, while Green, who had obtained leave to go to England on urgent private affairs, took a small boat, crossed the river, and got on board a vessel in the bay ready to sail for the old country. Price's body was found where he had fallen, with a piece of paper attached to the breast, on which were written the following words, "This is Benjamin Price, boarding in Veney Street, New York; take care of him." The body was brought to the city quietly, and he was buried in New York.

We are sorry to be obliged to chronicle such a

case, one which from first to last is discreditable to one party or the other. In the first place, Ben Price was decidedly wrong in pulling Mr. Green's nose for a very venial offence; for according to the unwritten law, either in America or England, a pretty woman may be looked at even twice without her being insulted thereby. Price again was to blame, after he had shaken hands with Mr. Green, to make public his own report of the matter; and, on the other hand, it was an unfair advantage for the English officer to practise until he became a dead shot before he ventured to challenge the man who had pulled his nose.

Readers of "Kenelm Chillingly" will remember when the big boy of his school thrashed him, that during the vacation he went and took lessons in boxing, so that he might be enabled "next half" to turn the tables upon his conqueror. But Kenelm did not do this secretly, for he wrote to his opponent, telling him what he was doing, and advising him to go and do likewise; and had Mr. Green behaved in the same manly manner, no fault could be found with his conduct.

The death of Ben Price was, however, but one half of the tragic transaction that resulted from the pulling of Mr. Green's nose. Some years later, Captain Wilson, who has been already re-

ferred to, arrived in New York from England on his way to Canada, and put up at the Washington Hotel. There one day at dinner the conversation turned on the death of Ben Price and the manner thereof, when Captain Wilson, who had joined in the conversation, took credit for having been mainly instrumental in bringing about the duel: detailing all the particulars connected therewith. This statement was carried immediately to Stephen Price, who was lying ill of the gout at home. His friends said that he at once implicitly obeyed the instructions of the physician, and, obtaining thereby a short cessation of the gout, was enabled to hobble out of doors, his lower extremities being swathed in flannel. His first course was to seek the Washington Hotel, where his inquiry was—

“Is Captain Wilson within?”

“He is,” said the waiter.

“Show me up to his room,” said Stephen; and up he was shown accordingly.

Hobbling upstairs with much difficulty, cursing alternately as he went the gout which caused the pain, and the captain who was the cause of his having to hobble, with equal vehemence, he at last reached Captain Wilson’s room: his feet

cased in moccasins, and his hand grasping a stick. Captain Wilson rose to receive him, wondering all the time who his lame visitor could be, but his mind on that point was soon relieved.

“Are you Captain Wilson?” said the stranger.

“That is my name,” replied the captain.

“Then, sir, my name is Stephen Price. You see, sir, I can scarcely put one foot before the other; I am afflicted with the gout. My object in coming here is to insult you. Shall I have to knock you down, or will you consider what I have said a sufficient insult, and act accordingly?”

“No, sir,” replied the captain, smiling; “I shall consider what you have said quite sufficient, and shall act accordingly. You shall hear from me.”

In due time there came a message from Captain Wilson to Stephen Price—time, place, and weapons were arranged; and early one morning a boat left New York in which were seated face to face Stephen Price, the captain, and two friends. They all landed at Bedlaw’s Island, the principals took their positions, and Captain Wilson fell dead at the first shot. The captain’s body was interred in the vault there, and Price and the two seconds returned to New York. Captain Wilson’s friends

in America thought he had departed suddenly to Canada, and his friends in England thought he had either died suddenly, or had been killed in a duel (the correct supposition) on his way to join his regiment.

THE END.

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